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THE
H I S T O R Y
OF THE
REFORMATION
OF THE
CHURCH OF ENGLAND.

BY
GILBERT BURNET, D.D.
LATE LORD BISHOP OF SARUM.

VOL. I. PART II.

I, 2 =

OXFORD,
AT THE UNIVERSITY PRESS.

MDCCCXXIX.

1829 =

7.21

Ms 1700. 35. 25

1860, July 13.

Pickman Bequest.

A
COLLECTION
OF
RECORDS.
AND
ORIGINAL PAPERS;
WITH OTHER
INSTRUMENTS
REFERRED TO IN THE FORMER HISTORY.

VOL. I. P. 2.

B

A

COLLECTION

OF

RECORDS &c*.

I.

The record of cardinal Adrian's oath of fidelity to Henry VII. for the bishopric of Bath and Wells.

HENRICUS rex, &c. Reverend. in Christo patri domino **BOOK**
 Sylvestro episcop. Wigorn. venerabili viro domino Roberto **I.**
 Sherbourn ecclesie Sancti Pauli London. decano, nostris in Treat.
 Romana curia oratoribus, ac magistro Hugoni Yowng sacre Rolls.
 theologie professori, salutem. Cum omnes et singuli archi-
 episcopi et episcopi hujus nostri inclyti regni, quorum om-
 nium nominationes, et promotiones, ad ipsas supremas dig-
 nitates, nobis attinent ex regali et peculiari quadam præro-
 gativa, jureq; municipali, ac inveterata consuetudine, hac-
 tenus in hoc nostro regno inconcussæ et inviolabiliter obser-
 vata, teneantur et astringantur, statim et immediate post
 impetratas bullas apostolicas, super eorundem promotione
 ad ipsam nostram nominationem, coram nobis et in præsen-
 tia nostra, si in hoc regno nostro fuerunt, vel coram com-
 missariis nostris, ad hoc sufficienter et legitime deputatis,
 si alibi moram traxerunt, non solum palam, publice et
 expresse, totaliter cedere, et in manus nostras renunciare
 omnibus, et quibuscunq; verbis, clausulis, et sententiis in

* The documents in this volume have been collated with such of the originals as are to be found in the British museum, or in the Lambeth library, and the correct readings received into the text.

BOOK
I.

ipsis bullis apostolicis contentis, et descriptis, quæ sunt, vel quovis modo in futurum esse poterunt, præjudicialia, sive damnosa, nobis, hæredibusq; de corpore nostro legitime procreatis Angliæ regibus, coronæ aut regno nostro, juribus vel consuetudinibus aut prærogativis ejusdem regni nostri, et quoad hoc totaliter seipsos submittere et ponere in nostra bona venia et gratia; sed etiam juramentum fidelitatis et homagii ad sancta Dei evangelia, per eosdem respective corporaliter tacta, nobis facere et præstare: Cumq; nos ob præclara merita eximiasq; virtutes quibus reverendissimum in Christo patrem, dominum Adrianum tituli sancti Chrysogoni presbyterum cardinalem abunde refertum conspiciamus, obq; diuturnum et fidele obsequium per ipsum cardinalem nobis factum et impensum, eundem ad ecclesias Bathon. et Wellen. invicem unitas nominavimus et promovimus, qui idcirco et ob id quod in curia Romana continue moram trahit, non potest commode hujusmodi renunciationem et juramentum coram nobis personaliter facere et præstare: Hinc est quod nos de fidelitatibus vestris et provida circumspectione, ad plenum confidentes, dedimus, et concessimus, ac per præsentem damus et concedimus, vobis, tribus aut duobus vestrum, quorum præfatum episcopum Wigorn. unicum esse volumus, plenam potestatem et auctoritatem, vice et nomine nostris, hujusmodi renunciationem in manus vestras, et juramentum ad sancta Dei evangelia corporaliter tacta, juxta formam et verum tenorem, de verbo in verbum inferius descriptum, ab eodem reverendissimo domino cardinali recipiendi, exigendi, et cum effectu præstari videndi; ipsumq; cardinalem, ut hujusmodi renunciationem et juramentum per ipsum sic ut permittatis fiendum et præstandum, manu et subscriptione suis signet, et muniat, requirendi, et ut ita fiat cum effectu videndi literas quoq; et instrumenta publica super hujusmodi renunciatione, et juramento fieri petendi, et notarium sive notarios publicos, unum vel plures, ut ipsa instrumenta conficiant: Necnon testes qui tunc præsentem erunt, ut veritati testimonium perhibeant rogandi et requirendi, ipsaq; juramentum vel instrumenta taliter fienda, verum ordinem rei gerendæ, et re-

nunciationis ac juramenti tenores in se continens vel continentia, nobis destinandi et transmittendi; Et generaliter omnia et singula faciendi, gerendi, et exercendi, quæ in prædictis et quolibet prædictorum necessaria fuerint, seu quomodolibet opportuna, ac quæ rei qualitas exigit et requirit, et quæ nosipsi facere et exercere possemus si præsens et personaliter interessemus, etiam si talia forent quæ de se mandatum exigant magis speciale. Tenor renunciationis sequitur et est talis: Ego Adrianus miseratione divina tituli sancti Chrisogoni presbyt. cardinalis episcopus Bathon. et Wellen. coram vobis reverendo patre episcopo Wigorn. domino Roberto Shurborno decano Sancti Pauli London. et Hugone Yowng in theologia professore, commissariis ad hoc à serenissimo atq; excellentissimo principe domino Henrico Dei gratia rege Angliæ, et Franciæ, et domino Hiberniæ, ejus nominis septimo, domino meo supremo, sufficienter et legitime deputatis, expresse renuncio, et in his scriptis manu et sigillo meis in præsentia notariorum et testium subscriptorum munitis, totaliter cedo omnibus et quibuscunq; verbis, clausulis et sententiis, in bullis apostolicis mihi factis de prædict. episcopat. Bathon. et Wellen. contentis et descriptis, quæ sunt vel quovis modo in futurum esse poterint præjudicialia sive damnosa præfato serenissimo regi, domino meo supremo, et hæredibus suis de corpore suo legitime procreatis Angl. regibus, coronæ aut regno, sive majestatis juribus vel consuetudinibus, aut prerogativis ejusdem regni: et quoad hoc me integraliter submitto et pono in gratia suæ celsitudinis, humillime supplicans suam majestatem, dignetur mihi concedere temporalia dicti episcopatus Bathon. et Wellen. quæ recognosco tenere à sua majestate tanquam à domino meo supremo. Tenor juramenti sequitur et est talis: Et ego idem Adrianus cardinalis prædictus juro ad hæc sancta Dei evangelia per me corporaliter tacta, quod ab hac die et in antea, vita mea naturali durante, ero fidelis et verus ligens, ac fidelitatem in ligencia mea pure et sincere servabo, fideleq; et verum obsequium secundum optimum posse meum faciam et impendam serenissimo principi Henrico ejus nominis septimo, Dei gratia Angl. et Fran. regi ac

BOOK
1.

domino Hiber. domino meo supremo, et hæredibus suis de corpore suo legitime procreatis Angl. regibus, contra quas-
cunq; personas cujuscunq; status, gradus, præeminentie aut conditionis extiterint: nec quicquam faciam aut attemptabo fieri, ne aut attemptari consentiam, quod in damnum, incommodum, aut præjudicium, ipsius serenissimi regis aut hæredum suorum prædictorum, jurium, libertatum, prærogativarum, privilegiorum et consuetudinum sui incliti regni, quovis modo cedere poterit; sed omne in quod jam scio, vel imposterum cognoscam inhonorabile, damnosum aut præjudiciale sue serenitati, aut regno suo, seu contrarium honori aut serenitati sue majestatis, aut hæredum suorum prædictorum, non solum impediam ad extremum potentie mee, sed etiam cum omni possibili diligentia id ostendam et significabo, ostendive aut significari faciam eidem serenissimo regi, omni favore, metu, promisso aut jurejurando cujuscunq; personæ aut quibuscunq; personis cujuscunq; status, gradus, ordinis, præeminentie conditionisve extiterunt, quod antehac per me factum aut interpositum seu imposterum fiendum aut interponendum, penitus sublato et non obstantibus. Honorem insuper sue majestati ad extremum potentie mee servabo, parliamentis quoq; et aliis consiliis sue celsitudinis cum in ejus regno fuero diligenter attendam; consilium quod sua serenitas per se seu literas aut nuncium suum mihi manifestabit, nemini pandam, nisi iis quibus ipse jusserit: et si consilium meum super aliquo facto majestas sua postulaverit, fideliter sibi consulam, et quod magis sue serenitati videbitur expedire, et conducere juxta opinionem et scire meum, dicam et aperiam, atque id si sua serenitas mandaverit pro posse meo diligenter faciam. Causas insuper et negotia omnia sue serenitatis mihi commissa, seu imposterum committenda, in curia Romana prosequenda, pertractanda et sollicitanda, fideliter, accurate et diligenter, cum omnimoda dexteritate prosequar, pertractabo et sollicitabo: Bullasq; et alias literas apostolicas validas et efficaces, in debita juris forma, super eisdem causis et negotiis impetrare et obtinere absq; fraude, dolo aut sinistra quavis machinatione quantum in me erit, cum omni effectu enitar,

operam dabo et conabor: ac easdem taliter expeditas, cum BOOK
I.
ea quam res expostulat diligentia, suæ serenitati transmit-
tam, aut per alios transmitti, tradi et liberari curabo, et fa-
ciam servitū quodq; et homāgia pro temporalibus dioti epi-
scopatus, quæ recognosco tenere à sua celsitudine tanquam à
domino meo supremo, fideliter factum et implebo. Ita me
Deus adjuvet et hæc sancta Dei evangelia. In cuius, &c.
T. H. apud Westm. 18 die Octob.

Per ipsum regem.

II.

*Pope Julius's letter to archbishop Warham for giving king
Henry the Eighth the golden rose.*

* *Venerabili fratri Guillelmo archiepiscopo Cantuarien' Julius
papa secundus.*

VENERABILIS frater, salutem et apostolicam benedictionem. ^{Registr.}
^{Warhami}
^{fol. 26. b.}
b Clarissimum in Christo filium nostrum Henricum
Angliæ regem c Illustrum, quem peculiari d caritate complec-
timur, aliquo insigni apostolico munere in hoc regni sui
primordio, decorandum putantes, mittimus nunc ad eum
rosam auream, cuncto e crismate delibatam, et odorifero
musco aspersam, nostrisq; manibus de more Romanorum
pontificum benedictam, quam ei à tua fraternitate inter
missarum solemnias per te celebranda, cum fcerimoniis in
notula alligata contentis, dari volumus s cum nostra et apo-
stolica benedictione. Datum b Rome apud Sanctum Petrum
sub annulo piscatoris i die quinto Aprilis millimo quingen-
tesimo decimo. Pont' nostri anno septimo.

Sigismundus.

*The note of the ceremonies of delivering the rose, referred
to in the letter, was not thought worthy to be put in the
register.*

* Julius Secundus papa venerabili fratri Guillelmo archiepiscopo. Cantua-
rien. b Clarissimum c Illustrissimum, d charitate e chrismate
f ceremoniis s cum om. b Rome i 5 April 1516. Pontificatus.

BOOK
I.

III.

A writ for summoning convocations.

Tonst. Re-
gist. fol.
33.

REX, &c. Reverendissimo in Christo patri Cantuarien. archiepis. totius Angliæ primati et apostolicæ sedis legato, salutem. Quibusdam arduis et urgentibus negotiis, Nos, defensionem et securitatem ecclesiæ Anglicanæ, ac pacem, tranquillitatem, et bonum publicum, et defensionem regni nostri et subditorum nostrorum ejusdem concernentibus, vobis in fide et dilectione quibus nobis tenemini rogandi mandamus, quatenus præmissis debito intuitu attentis et ponderatis, universos et singulos episcopos vestræ provinciæ, ac decanos et priores ecclesiarum cathedralium, abbates, priores et alios electivos, exemptos et non exemptos, necnon archidiaconos, conventus, capitula et collegia, totumq; clerum, cujuslibet dioceseos ejusdem provinciæ, ad conveniendum coram vobis in ecclesia Sancti Pauli London. ve. alibi prout melius expedire videritis, cum omni celeritate accommoda, modo debito convocari faciatis ad tractandum, consentiendum, et concludendum super præmissis, et aliis quæ sibi clarius proponentur, tunc et ibidem ex parte nostra. Et hoc, sicut nos et statum regni nostri, et honorem et utilitatem ecclesiæ prædictæ diligitis, nullatenus omittatis. Teste meipso, &c. apud Westmin. 6. Feb. anno regni 14.

Warham, in his writ of-executing this summons, prefixes the 20th of April for the day of their meeting.

IV.

A writ for a convocation summoned by Warham on an ecclesiastical account.

Registr.
Fitz- Wil-
liams.

WILLIELMUS permissione divina Cantuar. archiepiscopus, totius Angliæ primas et apostolicæ sedis legatus, venerabili confratri nostro domino Ricardo Dei gratia London. episcopo, salutem et fraternam in Domino caritatem. Cum nuper ecclesia Anglicana, quæ majorum nostrorum temporibus, multis ac magnis libertatibus et immunitatibus

gaudere solebat, quorundam iniquorum hominum malitiis, et nequitiiis fortiter fuerit inquietata et perturbata, qui omnia quæ à majoribus nostris sancte et pie, ob tranquillitatem dictæ ecclesiæ fuerunt ordinata ac sancita, vel prava et sinistra interpretatione prope subvertentes, vel personas ecclesiasticas male tractantes, ac eas contemptui habentes, dictam ecclesiam pene prostraverunt ac pedibus conculcarunt: Ne igitur dicta ecclesia Anglicana ad calamitatem insignem seu ruinam ac jacturam, et quod absit, desolationem perveniat, quas diu eadem ecclesia Anglicana per diversas personas, ut præfertur præ oculis suis Deum non habentes, nec censuras sanctæ matris ecclesiæ timentes, sustinuit et sustinebat, prout de verisimili reformatione non habita in futurum sustinere debeat: Nos prout tenemur, congruum remedium in hac parte providere cupientes, et ob id ipsum prælatos et clerum nostræ Cantuar. provinciæ convocare volentes; Fraternitati vestræ igitur committimus et mandamus, quatenus omnes et singulos dictæ nostræ Cant. ecclesiæ suffraganeos infra nostram provinciam constitutos et absentium episcoporum si qui fuerunt vicarios in spiritualibus generales, ac diocesum vacantium custodes spiritualitatis, et officiales citetis seu citari faciatis, peremptorie, et per eos decanos et priores ecclesiarum cath. ac singula capitula eorundem, archidiaconos, abbates et priores, conventus sub se habentes, et alios ecclesiarum prælatos exemptos, et non exemptos, clerumq; cujuslibet dioceseos provinciæ nostræ antedictæ, citari peremptorie et præmoneri volumus et mandamus, quod iidem episcopi suffraganei, nostri vicarii generales, decani et custodes sive officiales, abbates, priores, archidiaconi et cæteri ecclesiarum prælati, exempti et non exempti, personaliter, et quodlibet capitulum ecclesiarum cath. per unum de capitulo graduatum, vel magis idoneum; dictiq; singuli abbates, sive priores conventus sub se habentes, nullo obstante impedimento legitimo, per unam religiosam personam de conventu graduatum si quæ sit, ceu alias per unam magis idoneam de eodem conventu, clerusq; cujuslibet dioc. provinciæ antedictæ per duos procuratores graduatos ejusdem dioc. seu alias si non fuerunt, per duos

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I.

sufficientiores et habiliores dioc. in eorum beneficiis realiter residentes, compareant eorum nobis aut nostris in hac parte locum tenentibus, vel commissariis, si nos tunc (quod absit) impediri contigerit in ecclesia cathed. Sancti Pauli London. die Sabbat. viz. 26. mensis Januarii, &c. Dat. in manerio nostro de Lambeth primo die mensis Novembris, anno Domini millesimo quingentesimo nono, et nostrae translat. anno sexto.

V.

The preamble of the act of subsidy granted by the clergy.

An. Dom.
1523 Re-
gist. Cuth-
berti Ton-
stall, folio
40.

QUUM illustrissimus et potentissimus dominus noster rex Angliæ et Franciæ, defensor fidei et dominus Hibern. semper extitit constantissimus ecclesiæ protector et patronus optime meritus, atq; superioribus annis, in diebus fœlicis recordationis Julii ejus nominis papæ secundi, grave schisma in ecclesia Romana exortum pacavit et extinxit; et postea ipsam ecclesiam Romanam contra vim et potentiam Gallorum, qui tunc Italiam et urbem Romanam in servitutem redigere moliebantur validissimo exercitu et bello longe omnium sumptuosissimo fœliciter defendit, et securam reddidit: Ac præterea postremis his diebus Lutheranas hæreses, in ecclesiæ sacramenta ecclesiæq; statum furiose debacchantes doctissimo et numquam satis laudato libello contudit et superavit, vicissim tam gladio quam calamo hostes ecclesiæ strenuissime profligans, quibus meritis suam clarissimam famam immortalī gloriæ pariter consecravit, tales laudes et gratias sua incomparabili bonitate ab ecclesia promeruit, quales nunquam satis dignas quisquam mortalium referre poterit, sed Deus effatim persolvēt præmia digna. Quumq; idem rex noster et protector illustrissimus à rege Gallorum per mare et per terras, incolas hujus regnī contra percussum fœdus, promissam fidem, et suum ipsius salvum conductum assidue infestante, et Scotos contra regnum hoc instigante ac suis stipendiis conducente, atq; ducem Albanie in perniciem principis Scotorum nostri regis ex sorore nepotis im-

pellente, aliisq; injurias multas et graves contra regiam majestatem suasq; amicos et subditos quotidie multiplicante, provocatur, irritatur, atq; urgetur ut bellum suscipiat, suamq; regnum tam contra Gallos quam contra Scotos, ut deest invictissimum principem, potenter defendat; non enim ultra pacem colere vel pacem longius expectare convenit, postquam rex Gallorum summum pontificem bene moventem, et quæ pacis sunt suadentem, audire recusat, exercitum instruens et bellum apparans, fortassis in multos annos duraturum: dignissimum est ob præfata tam præclara facinora, ut sicut rex noster illustrissimus plus cæteris regibus antecessoribus suis pro ecclesiæ defensione, utilitate et honore insudavit, et plus expensarum sustinuit; ita ad sustinenda bellorum onera imminencia, pro ecclesiis et totius regni hujus defensione, per ecclesiam tali subsidio adjuvetur quale anterioribus regibus nunquam antehac concessum est, nec fortassis posterioribus regibus unquam simile, nisi ob talia benefacta vel extremam bellorum necessitatem postea concedetur. Quocirca ut regia majestas ad fovendam et protegendam ecclesiam, et clerum Angliæ, magis indies animetur, et ut jura, libertates et privilegia ecclesiæ concessa benigne ecclesiæ servet, et ab aliis servari faciat, et nè præfata benefacta in ingratos contulisse videatur:

Nos prælati et clerus Cant. provincie in hac sacra synodo provinciali sive prælatorum et cleri ejusdem convocatione, in ecclesia cathed. Divi Pauli London. vicesimo die mensis Aprilis anno Dom. millesimo quingentesimo vicesimo tertio inchoata, ac usq; ad in decimum quartum diem mensis Augusti proxime extunc sequentis de diebus in dies continuata, congregati, illustrissimo domino regi perpetuo et potentissimo fidei et ecclesiis defensori, subsidium dare et concedere decrevimus, quam nostram benevolentiam ut gratam et acceptam habeat humillime deprecamur, protestantes expresse, quod per præsentem concessionem, quam tanquam novam et ante insolitam pro nostra singulari et personali in regiam majestatem observantia sine exemplo donamus, omnino nolumus ecclesiæ Anglicanæ aut successoribus nostris in ali-

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I.

quo præjudicium generari, nec casum hunc singularem ad sequen. trahi: Quod si præsentem concessionem pro exemplo et (ut vocant) pro præidente ad similes unquam concessionem exigendas accipiendam fore præsentiremus, certe in eam omnino consentire recusassemus; quandoquidem subsidium sub modis, formis, conditionibus, exceptionibus ac provisionibus, et protestatione super et infrascriptis, et non aliter, neq; alio modo, damus et concedimus, viz. subsidium se extendens ad medietatem sive mediam partem valoris omnium fructuum, reddituum, et proventuum, possessionum, unius anni, omnium et singulorum episcopatum, ecclesiarum cathed. et collegiatarum, dignitatum, hospitalium monast. abbatiarum, prioratum aliarumque domorum religiosarum, necnon quorumcunq; beneficiorum et possessionum ecclesiasticarum, &c.

VI.

Bishop Tonstal's licence to sir Thomas More for reading heretical books.

Regist.
Tonst.
fol. 138.

CUTHBERTUS permissione divina London. episcopus clarissimo et egregio viro domino Thomæ More fratri et amico charissimo salutem in Domino et benedict. Quia nuper, postquam ecclesia Dei per Germaniam ab hæreticis infestata est, juncti sunt nonnulli iniquitatis filii, qui veterem et damnatam hæresim Wycliffianam et Lutherianam, etiam hæresis Wycliffianæ alumni transferendis in nostratem vernaculam linguam corruptissimis quibuscunq; eorum opusculis, atq; illis ipsis magna copia impressis, in hanc nostram regionem inducere conantur; quam sane pestilentissimis dogmatibus catholicæ fidei veritati repugnantibus maculare atq; inficere magnis conatibus moliuntur. Magnopere igitur verendum est ne catholica veritas in totum periclitetur, nisi boni et eruditi viri malignitati tam prædictorum hominum strenue occurrant; id quod nulla ratione melius et aptius fieri poterit, quam si in lingua catholica veritas in totum expugnans hæc insana dogmata simul etiam ipsis-

simā prodeat in lucem. Quo fiet ut sacrarum literarum im-
periti homines in manus sumentes novos istos hæreticos li-
bros, atq; una etiam catholicos ipsos refellentes, vel ipsi per
se verum discernere, vel ab aliis quorum perspicacius est
judicium recte admoneri et doceri possint. Et quia tu,
frater charissime, in lingua nostra vernacula, sicut etiam in
Latina, Demosthenem quendam præstare potes, et catholicæ
veritatis assertor acerrimus in omni congressu esse soles,
melius subcisivas horas, si quas tuis occupationibus suffurari
potes, collocare nunquam poteris, quam in nostrate lingua
aliqua edas quæ simplicibus et ideotis hominibus subdolam
hæreticorum malignitatem aperiant, ac contra tam impios
ecclesiæ supplantatores reddant eos instructiores: habes ad
id exemplum quod imiteris præclarissimum, illustrissimi
domini nostri regis Henrici octavi, qui sacramenta ecclesiæ
contra Lutherum totis viribus ea subvertentem asserere ag-
gressus, immortale nomen defensoris ecclesiæ in omne ævum
promeruit. Et ne Andabatarum more cum ejusmodi larvis
lucteris, ignorans ipse quod oppugnes, mitto ad te insanas
in nostrate lingua istorum nænias, atq; una etiam nonnullos
Lutheri libros ex quibus hæc opinionum monstra prodi-
erunt. Quibus abs te diligenter perlectis, facilius intelligas
quibus latibulis tortuosi serpentes sese condant, quibusq;
anfractibus elabi deprehensi studeant. Magni enim ad vic-
toriam momenti est hostium consilia explorata habere, et
quid sentiant quoque tendant penitus nosse: nam si convel-
lere pares quæ isti se non sensisse dicent, in totum perdas
operam. Macte igitur virtute, tam sanctum opus aggredere,
quo et Dei ecclesiæ prosis, et tibi immortale nomen atq;
æternam in cœlis gloriam pares: quod ut facias atque Dei
ecclesiam tuo patrocinio munias, magnopere in Domino ob-
secramus, atque ad illum finem ejusmodi libros et retinendi
et legendi facultatem atque licentiam impertimur et conce-
dimus. Dat. 7. die Martii, anno 1527. et nostræ cons.
sexto.

AD LIBRUM SECUNDUM.

I.

The bull for the king's marriage with queen Katherine.*

JULIUS episcopus servus servorum Dei, dilecto filio Henrico ^acharissimo in Christo ^bfilii nostri Henrici Angliæ regis nato, et dilectæ in Christo filiæ Catharinæ ^dcharissimæ in Christo filii nostri Ferdinandi regis, ^cet carissimæ in Christo filiæ nostræ Elizabeth. reginæ Hispaniarum et Siciliæ catholicorum natæ, illustribus, salutem et apostolicam benedictionem. Romani pontificis præcellens autoritas concessa sibi desuper utitur potestate, prout personarum, negotiorum et temporum qualitate pensata, id in Domino conspiciat salubriter expedire. Oblatæ nobis nuper pro parte vestra petitionis series continebat, Quod cum alias ^ftu filia Catharina, et tunc in humanis agens quondam Arthurus carissimi in Christo filii nostri Henrici Angliæ regis ^fillustris primogenitus, pro conservandis pacis et amicitie nexibus et fœderibus inter carissimum in Christo filium nostrum Ferdinandum, et carissimam in Christo filiam nostram Elizabeth. Hispaniarum et Siciliæ catholicos, ac præfatum Angliæ reges et reginam, matrimonium per verba legitime de præsentī contraxissetis, illudq; carnali copula forsan consummavissetis, & dictus Arthurus prole ex hujusmodi matrimonio non suscepta decessit; Cum autem, sicut eadem petitio subjungebat, ad hoc ut hujusmodi vinculum pacis et amicitie inter præfatos reges et reginam diutius permaneat, cupiatis matrimonium inter vos per verba legitime de præ-

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Cotton lib.
Vitell.
b. 12.
fol. 134.

[* Recited in pope Clement the Seventh's commission to cardinal Campeius to examine into its validity.]

^a clarissimi ^b filio Henrici ^c regis illustris. nato, ^d clarissimi
^e ac ^f illustrissimi ^g dominus

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senti contrahere, supplicari nobis fecistis, ut vobis in præmissis de opportune dispensationis gratia providere de benignitate apostolica dignaremur: Nos igitur, qui inter singulos Christi fideles, ^het præsertim catholicos reges et principes, pacis et concordie amoenitatem vigere intensis desideriis affectamus, vosque et quemlibet vestrum à quibuscunque excommunicationis, suspensionis et ⁱinterdicti aliisque ecclesiasticis sententiis, censuris, ^ket pœnis, à jure vel ab homine, quavis occasione vel causa latis, si quibus quomodolibet innodati existitis, ad effectum præsentium duntaxat consequendum, harum serie absolventes, et absolutos fore censentes hujusmodi supplicationibus inclinati, vobiscum, ut impedimento affinitatis hujusmodi ex præmissis proveniente, ac constitutionibus et ordinationibus apostolicis ^lcæteris contrariis nequaquam obstantibus, matrimonium per verba legitime de præsentī inter vos contrahere, et in eo postquam ^mcontractum fuerit, etiamsi jam forsā hactenus de facto publice vel clandestine contraxeritis [* ac illud carnali copula consummaveritis, licite remanere valeatis, auctoritate apostolica tenore præsentium de specialis dono gratiæ dispensamus; ac vos et quemlibet vestrorum si contraxeritis] (ut præfertur) ab excessu hujusmodi, ac excommunicationis sententia quam propterea incurristis, eadem auctoritate absolvimus, prolem ex hujusmodi matrimonio, sive contracto, sive contrahendo, susceptam forsā vel suscipiendam legitimam decernendo. Proviso quod tu (filia Catharina) propter hoc rapta non fueris; volumus autem quod si hujusmodi matrimonium de facto contraxistis, confessor, per vos et quemlibet vestrū eligendus, pœnitentiam salutarem propterea vobis injungat, quam adimplere teneamini. Nulli ergo omnino hominum liceat hanc paginam nostræ absolutionis, dispensationis et voluntatis infringere, vel ei ausu temerario contraire; si quis autem hoc attemptare præsumpserit, indignationem omnipotentis Dei ac beatorum Petri et Pauli apostolorum ejus se noverit incursurum. Dat. Romæ apud Sanctum Petrum, anno incarnationis Dominicæ

^h et om.ⁱ interdict.^k et om.^l cæterisq;^m Contractum

[* The passage in brackets does not occur in the MS.]

millesimo quingentesimo tertio, septimo cal. Januarii, pontificatus nostri anno primo.

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II.

The king's protestation against the marriage.

IN Dei nomine, Amen. Coram vobis reverendo in Christo Cotton lib.
patre et domino domino Richardo Dei et apostolicæ sedis Vitell.
gratia episcopo Wintoniensi, ego Henricus Walliæ princeps, b. 12.
dux Cornubiæ et comes Cestriæ, dico, allego, et in his scriptis propono, Quod licet ego minorem ætatem agens, et intra annos pubertatis notorie existens, cum serenissima domina Katharina Hispaniarum regis filia, matrimonium de facto contraxerim, qui quidem contractus, quamvis obstante ipsa minore ætate mea de se jam invalidus, imperfectus, nullius efficaciam aut vigoris extiterit; quia tamen annis pubertatis et matura ætate jam superveniente, contractus ipse per tacitum consensum, mutuam cohabitationem, munerum aut intersignium dationem seu receptionem, vel alium quemcunque modum jure declaratum, forsitan existimare seu videri poterit apparenter validatus aut confirmatus; Ea-propter, Ego Henricus Walliæ princeps prædictus, jam proximus pubertati existens, et annos pubertatis attingens, protestor, quod non intendo eundem prætentum contractum per quæcunque per me dicta seu dicenda, facta aut facienda, in aliquo approbare, validare, seu ratum habere, sed nunc in præsentī, non vi, dolo, nec prece indutus, sed sponte et libere, nullo modo coactus, contra hujusmodi contractum reclamo, et eidem dissentio, voloque et omnino intendo ab eodem contractu matrimoniali prætenso, melioribus modo et forma, quibus de jure melius, validius, aut efficacius potero et possim, penitus resilire, et eidem expresse dissentire, prout in præsentī contra eundem reclamo, et eidem dissentio. Protestorq; quod per nullum dictum, factum, actum, aut gestum per me, aut nomine meo per alium quemcunque, quandoque aut qualemcunque, imposterum faciendum, agendum, gerendum, aut explicandum, volo aut intendo in præ-

BOOK II. fatum contractum matrimoniale, aut in dictam dominam Catharinam tanquam sponsam aut uxorem meam consentire. Super quibus vos omnes testimonium perhibere volo, requiro, rogo, atque obtestor.

Per me Henricum Walliæ principem.

LECTA fuit et facta suprascripta protestatio, per præfatum serenissimum principem dominum Henricum, coram reverendo in Christo patre et domino domino Richardo permissione divina Winton. episcopo, judicialiter pro tribunali sedent. Et me notarium infra scriptum ad tunc præsentem in ejus actorum scribam in hac parte assumente, et testium infrascriptorum præsentis, anno Dom. 1505. Indictione octava, pontificatus sanctissimi in Christo patris et domini nostri Julii, divina providentia eo nomine papæ secundi anno secundo, mensis vero Junii die 27; quo die dominus serenissimus princeps proximus pubertati, et annos pubertatis attingens erat, et tunc ibidem asserebat, in quadam bassa camera infra palatium regium Richmondia, in parte occidentali ejusdem palatii situat. Super quibus omnibus et singulis, præfatus serenissimus princeps me notarium præmemoratum instrumentum conficere, et testes infra nominatos testimonium perhibere requisivit instantanter et rogavit. In quorum omnium et singulorum fidem et testimonium, præfatus serenissimus princeps supra, et testes, ut præmittitur, rogati et requisiti, sua nomina propriis manibus infra scripserunt. Ita est ut supra, quod ego Joannes Raed manu et signo meo manuali attestor.

Giles Daubney, C. Somerset.

Thomas Rowthale.

Nicholas West.

Henry Marny.

III.

Cardinal Wolsey's first letter to sir Gregory Cassali, about the divorce. Taken from the original.

DOMINE Gregori, ^a&c. Post meam cordatissimam commendationem, post ultimum vestrum à me discessum ex compendio ad vos scripsi, ut ob nonnullas maximi momenti causas procurare differretis quod de regiæ majestatis negotio in quibusdam ^bvobis traditis commissionibus continebatur, quoad rursus vobis significarem quid ea in re fieri vellemus. Ubi vero ad regiam majestatem rediissem, variis crebrisque cum ea habitis sermonibus, adeo abunde ac distincte ^cipsi aperui quam ex animo ac diligenter, et quam sincere et ex fide, diu noctuque exoptetis eidem regiæ majestati inservire; neque ullum unquam laborem, periculum, aut molestiam vos velle recusare, ut omni studio ac viribus id fideliter præstare possitis quod illi gratum aut acceptum quoquo modo esse posse cognoveritis, omnemque industriam vos esse adhibituros quo vestræ fidei curæque commissa optatum finem consequantur; quem vestrum animum ^dpropensissimæque voluntate sic sub mea fide regiæ majestati insinuavi, ut meam hanc relationem atque sponsionem pectori suo constantissime adfixerit, certissimaque fiducia concepit, omnino futurum ut nostræ tunc expectationi quacunque in re et occasione respondeatis: Ex quo fit ut vestræ operæ, curæ, atque prudentiæ ea nunc tractanda et procuranda committat, quibus nihil magis cordi habeat, nihil ardentius exoptet, aut majoris sit momenti vel gravioris successus, nec ullum habet consiliarium, utcunque intimum, cui graviora possit committere. Quum itaque, me intercedente et procurante, nunc vos regia majestas præ cæteris ad hoc fidei adsciverit et elegerit, ut in re tam gravi fidelissima vestra opera ac ministerio utatur, fidemque illi meam de vobis jam ei adstrinxerim, nihil ambigens quin postquam ejus ^eanimum ac voluntatem cognoveritis, fueritisque abunde ^finstructus quam

Cotton lib.
Vitell. b. 9.

^a &c. om. ^b nobis ^c illi aperui ^d propensissima ^e animam
^f instructi

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maximi hæc quæ nunc expono ^fsunt momenti, utpote quæ potissimum concernunt regię conscientię exonerationem, ^hanimæ suæ salutem, vitæ conservationem et incolumitatem, regii stemmatis continuationem, publicumque commodum et quietem subditorum omnium, eorum pariter qui sub ejus imperio nunc vivunt vel qui ⁱposthac unquam in hoc suo regno vivent; quumque perspiciam sedulum vestrum ministerium hoc in negotio impendendum omnino redundaturum esse in præcipuam vestram exaltationem et utilitatem, postquam infelices istos jam passos successus occasionem se ^kobtulis-
 se, qua vestra familia hujusmodi operam huic serenissimo principi navare possit, quod statum omnem vestrum in longe meliorem quam antea sit haud dubie restitutus et adaucturus, certissimum compertissimumque habeo, quod ob has tam urgentes causas et tam graves successuros effectus, adeo toto pectore vires omnes vestras industria ac studio tantæ conficiendæ rei addicetis, ut omnia queatis ad optatum exitum perducere; atque ita promissum fidemque meam præstabitis, tam optimum regię majestatis institutum juvabitis, ejus desiderio et expectationi omni ex parte satisfacietis, et præter bene peractæ rei honorem et laudem comparandam, mercedem quoque reportabitis tanti principis liberalitate dignam, quæ certissime cedit in perpetuum vestrum totiusque vestræ familiæ commodum et incrementum: Et quum jam mihi persuadeam futurum omnino ut officiis actionibusque vestris sitis promissis sponsionibusque meis omnino satisfacturi, ad id pluribus verbis neutiquam adhortabor, proinde ad rem nunc ipsam venio. Ante hoc tempus vobis aperui, quemadmodum regia majestas, partim assiduo suo ^mstudio et eruditione, partim relatu ac judicio multorum theologorum, et in omni doctrinæ genere doctorum virorum asseveratione, existimans conscientiam suam non esse sufficienter exoneratam, quod in conjugio existeret cum regina, ⁿDeique primo et ante omnia ac animæ suæ quietem et salutem respiciens, mox vero suæ successionis securitatem,

^f sunt
^m studio om.

^h animæque
ⁿ Deumque

ⁱ postea

^k obtulisse videtis, qua

perpendensque accurate quam gravia hinc mala provenirent, aperte sentit quam maxime futurum sit Deo molestum, in-honorificum sibi, et ingratum apud homines, suisque subdi-tis periculosum, ex hoc non sufficienti conjugio, si deprehen-datur dicta majestas sciens ac volens in eo perstare, et vivere præter modum debitum, juxtaque ritum et legitima ecclesiæ statuta : quibus igitur ex causis longo jam tempore, intimo suæ conscientiae remorsu, summique Dei rationem habens, existimat animam suam læsam et offensam, adeo quod, quum in suis conatibus actionibusque quibuscunque Deum potis-simum sibi semper proponat, ingenti cum molestia cordisque perturbatione in hoc matrimonio degit ; super qua re matu-rum sanumque judicium consuluit clarissimorum celeberrimorumq; doctorum aliorumque complurium in omni erudi-tionis genere excellentiorum virorum ac prælatorum, partim theologorum, partim jurisperitorum, tum in suo regno, tum alibi existentium, ut aperte vereque cognosceret, an dispen-satio antea concessa pro se et regina, ex eo quod regina fra-tris sui uterini uxor antea extiterit, valida et sufficiens foret, necne ; demumque à variis multisq; ex his doctoribus asse-ritur, quod papa non potest dispensare in primo gradu affi-nitatis, tanquam ex jure divino, moraliter, naturaliterque prohibito, ac si potest, omnes affirmant et consentiunt quod hoc non potest, nisi ex urgentissimis et arduis causis, quales non subfuerunt ; Bulla præterea dispensationis fundatur et concessa est sub quibusdam rationibus falso suggestis et enarratis, in ea namque asseritur, quod hæc regia majestas matrimonium hoc cum regina percupiebat, pro bono pacis inter Henricum septimum Ferdinandum et Elizabetham, quum ore vera nulla tunc dissensio aut belli suspicio esset inter dictos principes, vel regiam majestatem prædictam, quæ in teneris adhuc annis, nec in discretione aut judicio constitutis agebat ; nunquam deinde assensit, aut quicquam cognovit de hujusmodi bullæ impetratione, nec unquam hoc matrimonium optavit, aut aliquid de eo accipit ante bullæ impetrationem. Quocirca ab his omnibus doctoribus atq;

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prælati judicatur hujusmodi dispensationem non adeo validam et idoneam esse ac efficacem, ut prædictum matrimonium manifeste justum legitimumque sit; sed potius quod multa possunt objici, magnis probabilibusque fundata et corroborata rationibus, in non leve periculum regię proliis, totiusque regni ac subditorum gravem perturbationem. Ad hæc postquam regia majestas, Pquæ Walliæ princeps tunc erat, decimum quartum annum attigisset, contractus revocatio subsecuta est, rege patre expresse nolente quod hujusmodi matrimonium ullo pacto sortiretur effectum. His causis rex hic serenissimus, tanquam bonus et catholicus princeps, timens ne ob tam diuturnam cum regina continuationem, indignatus et iratus Deus citius ex humanis evocaverit masculam è regina susceptam prolem, graviusque à Deo supplicium expavescit, si in matrimonio hoc non legitimo perseveraverit; ex hac ideo occasione, intimis præcordiis hunc conscientię scrupulum concepit, in animo nihilominus habens, pro animi conscientięque suę quiete et salute, proliisque securitate, ad sanctam Domini nostri sedemque apostolicam confugere, tantę rei remedium impetraturus confidens, quod ob complura sua erga eam merita et officia tum calamo ingeniique viribus, tum armis præstita, subsidia in ecclesię calamitatibus prompte subministrata, sanctissimus Dominus noster non gravabitur sua benignitate, autoritate ac facultate, intimum hunc regię majestatis cordi inhærentem dolorem amovere, eumque modum ac rationem inire qua regia majestas prædicta uxorem aliam ducere, et, Deo volente, masculam prolem in suę successionis securitatem queat ex ea suscipere, et tam certam quietem in suo regno constituere: Quumque ejus sanctitas ab his nunc captiva detineatur, qui pro virili sua forsitan conabuntur impedire, turbareque hoc regię majestatis desiderium et statutum, ipsa præterea cogitur vias omnes excogitare, quibus dicta sanctitas de hac re dexterius et commodius instrui, et facilius adduci queat ad ea concedenda, quorum medio et vigore regię majestatis animus et desiderium queat optatum sortiri

P qui

effectum: Proinde ipsa regia majestas de fide, industria, dexteritate, prudentiaque vestra plenissime confidens, vult ut statim his literis acceptis, rebus aliis omnibus quibuscunque ab eo vel à quovis alio vobis commissis omnino pothabitia, vias modosque omnes possibiles excogitetis quibus potestis secretissime, mutato habitu et tanquam alicujus minister, vel tanquam commissionem habens à duce Ferrarise pro nonnullis inter pontificem et eum componendis controversiis, vel alia qua licuerit securiori via, ad pontificis presentiam et colloquium accedendi, omnibus arbitris semotis, si fieri possit, pro vestris obeundis mandatis; quorum obtinendorum gratia, si ita expedire judicaveritis, eam mercedem ac pecuniarum summam promittetis ac tradetis, his qui revera volent atque poterunt hoc negotium ad effectum pertrahere, quam summam, et ejus limitationem, judicio, prudentiaque vestrae integram regia majestas remittit; etiam si his danda foret qui pontificem asservant, vel cuicunque alio qui vos tuto ad secretum cum sua sanctitate sermonem adducere, in locumque tutum reducere posset: Cujus rei gratia, aliisque ad hunc finem consequendum sustinendis oneribus necessariis, pecuniæ ad summam decem mille ducatorum, per mensarios Venetias transmittentur, qui illic in promptu aderunt, persolvendæ et consignandæ prothonotario fratri vestro, regio illic existenti oratori; per eumque de tempore in tempus ad vos transmitti ea summa poterit quam huic obtinendo negotio conducere posse existimaveritis, nihilque ambigo quin dictam pecuniam fideliter collocetis, ex regis majestatis utilitate, expectatione, atque sententia. Atque ubi ad sanctum dominum nostrum accesseritis, post filiales et cordatissimas regis majestatis measque devotas et humillimas commendationes, et post exhibitas à rege credentis literas, in quibus in negotii adjumentum clausula vehemens est propria ejus manu conscripta, ut ex earum exemplo cognoscetis, ejus sanctitati exponetis quam grave, molestumque regis majestati et mihi sit audire infelicissimos eventus calamitatemque miserandam, in qua nunc ejus sanctitas cum reve-

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rendiss. cardinalib. versatur, cum gravissimo detrimento irreparabilique sedis apostolicæ illiusque patrimonii jactura, ad quæ mala sublevanda et corrigenda nullum in regia majestate officium desiderabitur, quod ab ullo erga sanctam domini nostri vel sedem apostolicam observantissimo principe queat excogitari; in eoq; omne meum ministerium ac studium non minus promptum aderit, quam si ex ea re solum possem mihi cælum comparare; quemadmodum experientia, aliqua in parte, jam docuit, et Deo duce posthac uberius comprobabit: quam rem copiosius optimisq; verbis agetis, præsertim, quum sciatis quanto et quam sincero affectu regia majestas ejus sanctitatem prosequatur, et quanta mea sit in ipsam devotio, in hisque sermonibus insistetis prout loci, temporis, negotiique ratio videbitur judicio vestro postulare.

Secundo, Sanctissimo domino nostra solita vestra dextertate aperietis id quod in his ipsis literis ad vos scripsi concernens hujus matrimonii insufficientiam, ab hisq; rationibus et causis fundamentum capietis, quæ superius enarrantur, integrumq; discursum ejus sanctitati declarabitis, non omit- tentes intrinsecum dolorem, conscientiæ scrupulum, Dei rationem, masculæ prolis respectum, hujus regni bonum, et alia omnia ut superius scripta sunt: addentes insuper, nihil vehementius optari à tota regni nobilitate, subditisque omnibus nullo discrimine, quam è regiæ majestatis corpore masculum hæredem à Deo sibi dari, in perpetuam consolationem, gaudium, quietem, ac totius regni securitatem, posteritatisque firmissimum columen; prudentiorumq; opinionem esse, quod Deus omnipotens à tanto bono concedendo divi- nam suam manum subtrahit, ob errorem, culpamque in dicto matrimonio hactenus admissam, quæ nisi mature cor- rigatur, graviora ex hac occasione in hoc regnomala succe- dent, quam antea unquam fuerunt audita; etenim si hoc negotium in suspensio et indiscussum relinqueretur, hujus- modi possent quæstiones, controversiæ et contentiones ac factiones post defunctum regem exoriri, ob regni hæredita- tem, quæ non possent in multorum ævo restingui, ut antea olim ex causa longe leviori accidit, neq; ex re tam ambigua,

tam sævæ olim depopulationes, bella, intestinæq; controversiæ exortæ, et ad multum tempus continuatæ sunt, in extremum et ferme ultimum regni excidium; quæ quum tam gravia sunt, sanctissimus dominus noster veluti pater et gubernator Christianitatis prospicere ex officio debet, et quibuscunque modis potest, pro viribus adniti et conari, ut hæc regna ac dominia quæ nunc supersunt in fide et obedientia ecclesiæ assidue contineat, inter quæ, Deo sit laus, hoc regnum haud recensendum est inter minima, sed tanquam illud quod hactenus juvavit, et posthac pro tuto præsidio semper haberi poterit, adversus ea quæ cedere possent in ecclesiæ catholicæ vel sanctæ fidei detrimentum.

Tertio, Sanctissimo domino nostro proponetis præsentem ecclesiæ statum, rogabitisque ut in mentem velit redigere, quo nunc in statu suæ sanctitatis res cum Christianis principibus versentur, cumq; privatæ contentiones, quæ illi sunt cum magna eorum principum parte, addita et ambitione immoderatoq; regum appetitu et ex arbitrio suo, Temporale jus omne atq; spirituale tractandi, ecclesiasticamq; jurisdictionem et auctoritatem invertendi, eo certe animo ut sedis apostolicæ dignitatem extinguant; his omnibus in unum connexis ac bene consideratis, ejus sanctitas manifeste cognoscet, principem nullum, neq; portum, aut refugium tam tutum, cui in omnem eventum queat inhærere, sibi relictum esse, quam hæc regia majestas est quæ nihil sibi vendicat, nil ambit, quod præjudicio esse possit dictæ sanctitati, sed ejus, apostolicæque sedis, semper fuit, est, esseq; decrevit firmissimum scutum, tutissimumq; propugnaculum, ita suas actiones cum cæteris principibus firmans et connectens, ut semper ex ea occasione in suam hanc optimam sententiam reliquos possit attrahere, adeo quod regi tam optime in sanctissimum dominum nostrum affecto nihil denegari debeat, utcumq; maximum quod possit ab ejus sanctitate præstari ordinaria vel absoluta sua auctoritate; nam proculdubio, post vias modosq; omnes tentatos, omnino perspicietur omnia alia amicitiae officia, si huic quod petitur comparentur, esse perquam exigua, et hoc amicum officium hujusmodi fu-

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turum, ex quo reliqua queant incrementum capere, sine eo futura alioquin parvi ac nullius fere momenti.

Tertio, Probe notandum est, quod res nunc aperta et petita, à regiaq; majestate tantopere optata, ex tam magno conscientiae scrupulo, cordisq; remorsu oritur, ut unicuiq; quantumcunq; minora quam regia majestas sit de sanctissimo domino nostro merito. Quocirca judicat, et pro re comperta sibi persuadet, quod si ulla meritorum vel officiorum ratio habeatur, nunc ipsius sanctitas huic suo desiderio et petitioni benignissime liberrimeque adjuvet, nullo prorsus dubio, difficultate, contradictione, aut mora injecta. Negotiumque hujusmodi est, ut cognita dispensationis insufficientia, quamvis id non requisivisset rex, ultro proponi offerrique debuisset ab eadem sanctitate tanquam à patre spirituali, in ejus salutis et conscientiae beneficium.

In gratiam igitur et contemplationem præmissorum omnium instantissime vehementissimeque à sanctissimo domino nostro requiretis et contendetis, ut dubio, metuque omni seposito, respicere velit ad causæ statum, et ad ea quæ subsequutura videantur, rationemq; habere infinitorum commodorum, quæ ex hac re suæ sanctitati apostolicæq; sedi inde provenient rem hanc statim, absq; temporis tractu, et causæ circumstantia, nemini eam aperiens, libere concedere et indulgere, nulliq; communicata specialem commissionem ad hunc effectum et finem confectam in forma brevis concedere, et ad me dirigere, facultatem addens, ut mihi liceat quoscunq; voluero ad me vocare, mihiq; asciscere ad procedendum in hac causa, et inquirendum de dictæ bullæ ac dispensationis sufficientia, juxta formam ac tenorem expressum in quodam libello hujus rei gratia confecto; quem cum his ad vos mitto, sic in debita forma conscriptum et digestum ut non sit futurum opus quo denuo ab ullo alio exscribatur, si forsan periculosum putaretur eam rem cuiq; patefacere, vel in dubium aut dilationem protractum iri negotium, si ulli ex sanctissimi domini nostri officiariis committeretur

* unicuiq; debita sit, quantumcunq; minori

rursus conscribendum; sed quod in hujusmodi periculi eventum possit ejus sanctitas sine ullo discrimine vel alicujus cognitione eam dicto libello signaturam, sigillumq; apponere, ut aperte inde constet, pontificis meram voluntatem sic esse, illiusque signaturæ ac sigilli vigore, legitime et sufficienter possim ego procedere ad inquisitionem de dictæ dispensationis insufficientia, cognitionem et aliarum causarum et rationum, quæ adduci possunt pro dicti matrimonii invaliditate.

Item cum his ad vos mitto dispensationem in debita forma confectam et scriptam in modum brevis, secreto impetrandam et expediendam eidem signaturam vel sigillum apponendo, vel alio quovis modo valido: Et quamvis ex hac re multa pendeant, ob quæ ista requiruntur, et quæ, Deo favente, neutiquam timenda sunt; Attamen regia majestas exemplo innitens, et recordationi complurium rerum, quæ olim præteritis temporibus fuerunt injuste asserta, vel adducta, in animo habens causas suas omnes absq; ulla controversia aut difficultate ad perfectum finem perducere, et ne ullo quovis prætextu, argumento aut colore, postmodum emergente perturbarentur, hoc à sanctissimo domino nostro requirit, veluti rem necessariam, qua nullo pacto carere queat; firmiter confidens, quod sanctitas sua, benigne atq; amanter isti ejus desiderio assentiet, et concedet sine ullo obstaculo dictam commissionem, juxta formam quam regia majestas petit, et eodem tempore, atq; hæc omnia ita benigne ac liberaliter expedire, secretiori et validiori quo fieri possit modo, quo optatus finis subsequi possit in eum effectum, laudabileque propositum, de quo superius dictum est; Qua ex occasione sanctissimum dominum nostrum in perpetuum sibi adstringet, indissolubiliq; amicitiae vinculo hanc regiam majestatem sibi alligabit, quæ nulli labori, periculo, opibus, regno, subditis, nec ipsi sanguini parcens, ab ejus sanctitate nunquam divelletur aut eam deseret, sed totis suis viribus constantissime semper illi adhærebit, tum in suæ sanctitatis et cardinalium liberationem, tum in hostibus persecutendis; ad quem finem, magnam jam pecuniarum summam ad regem Christianissimum misit, pro illo Italiæ exercitu continuando,

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et præter id in animo statutum habet, quod nisi Cæsar de dicta sanctitate liberanda consentire, et ad pacem devenire voluerit, bellum gerere adversus has inferiores Cæsar's regiones et dominia, quo vehementius urgeat sanctissimi domini nostri liberationem, ecclesiæq; in pristinam suam dignitatem et auctoritatem restitutionem, eaque de se indicia exhibebit ut universo orbi manifestum sit futurum, dictam suam majestatem esse solidum perfectum amicum, filium obsequentissimum et ejus devotissimum; à qua pectoris sui sententia, nullo thesauro, nullis opibus, nullis regnis, seu ditionibus, vel occasione quacunq; unquam abducetur; sed ex filiali sua observantia et in Christianam religionem zelo, innatoq; erga sedem apostolicam studio et præcipuo quodam affectu, quem sanctissimo domino nostro gerit: in compensationem quoq; gratitudinis, quam tam avide in hoc suo negotio ab ejus sanctitate expectat, decretum prorsus habet in constantissimo hoc et indissolubili amicitiae et conjunctionis vinculo ^ssincerissimæ perstare, id quod dicta regia majestas sanctissimum dominum nostrum vehementissime rogat, ut probe velit in omnem partem librare, vicissemq; efficere, ut ex regiae petitionis indulgentia palam constet parem benevolentiam et humanitatem à sanctissimo domino nostro ex mutuo præstari.

Hæc autem causa ipsius sanctitati à vobis, ut dictum est, exposita et declarata, neutiquam dubitandum est, quin benevole atq; libenter statim adnuat regiae majestatis expectationi et quod huic assentiet, dictam commissionem secreto modo ipsa concedens, neminem de ea re, ut dictum est, participem faciens; qui modus servandus est, si videritis hæc effici non posse, nisi cum ^tpericulo hæc res eis communicateur, qui eam sint inturbaturi, vel si id præstare fuerit in sanctissimi domini nostri arbitrio, tunc ejus sanctitas non gravetur, per breviam, vel per bullas, prout validius et magis sufficiens fore judicaverit, præmissa omnia concedere, ad quod vestram omnem industriam, prudentiam, studium, diligentiamq; adhibebitis: Sic omnia prudenter ac circum-

^r adducetur,^s sincerissimo^t periculo quin hæc

specie agentes, ne in discrimen deveniatur negotium hoc his detegendi, qui illud vel impedire vel retardare forsanelu-erint aut poterint, sed potius quam ad id periculi res deducatur contenti eritis sola dictorum libellorum signatura, in eam formam confecta, quum ex ea palam constet, pontificis assensum in id actualiter concurrisset, qui postea recentioribus scriptis, si ita opus fuerit, firmitus confirmari corroborariq; poterit.

Et quoniam incertum est, utrum ante vestrum ad pontificem accessum, ejus sanctitas fuerit in suam libertatem restituta, necne, quæ forsanelibera non tanti faciet regię majestatis amicitiam et conjunctionem, vel allegabit, se nec audere nec posse, ex suis cum Cæsare conventionibus ista concedere, nec secreto ullo modo, vel ullo colore, quod ea in re fecisset apud Cæsarem "justificari, ut potuisset antea in regię majestatis auxilio pro sua liberatione sperans, dum adhuc detineretur captivus; eo casu sanctissimo domino nostro in mentem redigetis, quam parum fidere possit ullis sibi factis à Cæsare promissis, quum nulla in parte redundare possit in commodum aut securitatem, sed solum in extremum excidium ac detrimentum sedis apostolicę; et licet ad breve tempus multa videretur Cæsar in ejus sanctitatis gratiam factururus, compertissimum tamen semper pontifici esse debet Cæsarianos ea facere, semperq; facturos, quæ Cæsarem possint exaltare, et tendant ad usurpationem, potius et depressionem status ecclesiastici, quam ad ejus continuationem, vel conservationem; et quotiens adversus ecclesiam ista tentarentur, regia majestas in hac sua petitione passa repulsam, quæ alioquin ejus sanctitati in omnem eventum firmissime adhæsisset, et alios suos confœderatos in eandem sententiam pertraxisset, quam, ea deficiente, in contrarium facile possent *allici, quo animo futura sit, et quam bene suum affectum et observantiam collocasse existimatura: summæ est prudentię omnia considerare.

Haud incognitum præterea est sanctissimum dominum nostrum ad Cæsaris instantiam, quum non multam ab ejus

" justificare, et

* allici,

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sanctitate gratiam promeritus esset, ei concessisse dispensationem et absolutionem à jurejurando ab illo præstito, deducenda in conjugem domina principissa, nullo ut par fuisset à regia majestate habito, seu petito consensu, non obstante quod Cæsar in validissima forma, non solum præstito jurejurando, sed cautione et ecclesiasticarum censurarum et pœnarum adhibita, quod perstringeretur de dicto matrimonio perimplendo, ac si pontifex contentus esse potuit, tantum ei ostendere gratitudinem, quum veluti hostis indies certior tunc poterat haberi, et qui majora ꝑpetebat quam juste posset optare, suis petitionibus, regia majestate inconsulta, neutiquam parcens, quanto propensius ejus sanctitas adnuere debet ejus principis voto, cujus fidem et observantiam vere filialem sæpe experta est. Verum tamen si sanctissimus dominus noster difficulter visus fuerit posse adduci, ut in meam personam dictæ commissioni assentiat, allegans quod non sum indifferens, cui ex suæ sanctitatis honore hoc negotium committi possit, cum regię majestati sum subditus et intimus consiliarius, tunc tamdiu persistetis ea in re, quoad vobis visum fuerit conveniens, negotii expeditionem non ideo protrahentes, aut differentes, sed instantes ut hujusmodi commissio concedatur; affirmabitisq; me pro re nulla quantumlibet grandi, nullo favore, aut commodo, quicquam effecturum esse, quod aversetur officio meo, et erga Christum præstitæ professioni, neq; ^ꝑunquam a recto, vero, justoq; tramite digressurum; Et ^ꝑquum cardinalis sim et apostolicæ sedis de latere legatus, ejus sanctitatis honor, integraque conscientia, à me omnino conservaretur, ex hujusmodique concessa commissione, omni ex parte exoneraretur. Tandem si ad hoc, nullis rationibus pontifex potuerit adduci, ab ejus sanctitate requiretis, ut dictam velit commissionem concedere in personam domini Staphylei decani rotæ, qui et vir indifferens est, et hujusmodi rei ob eruditionem accommodatus, nullo pacto omittentes dispensationis expeditionem, ut dictum est; et hujus rei gratia commissionem nunc ad vos mitto, in debita forma confectam et paratam, quæ signetur ad dictum

ꝑ parabat

ꝑ unum

ꝑ quin

dominum Staphyleum directa, quam sanctissimo domino nostro reddetis, casu quo alia nequeat obtineri, rogabitisq; ut cum dicta dispensatione eam velit concedere. Et quoniam fieri possit quod dum fieret mentio de me excipiendo, forsitan ejus sanctitas aliquem alium quam dominum Staphyleum nominaret, ad quem commissio hujusmodi dirigeretur, hoc vero in loco tenacissime insistetis, firmiterq; inhærebitis ei rei, nec in alium aliquem virum exterum ullo pacto consentientes, sed solum pro eodem domino Staphyleo instantes ejus sanctitatem summis precibus vehementissime rogantes, et rationibus omnibus suadentes, ne alium ullum nominare velit, asserentes quod quum in instructionibus vestris non contineatur, nec de alio ullo fiat mentio, ^bnisi me recusato, iterum atque iterum ab eadem sanctitate petetis, ut nomine hujus auditoris rotæ hæc fiat et expediatur commissio, vos nec audere nec posse vobis præscriptos fines transgredi.

De regii vero desiderii ac petitionis frustratione super dicta commissione obtinenda dicetis unum et idem esse, hanc illi denegare, vel alii concedere quam in vestris instructionibus contineatur, non quod regia majestas de aliorum rectitudine aut indifferentia quicquam suspicetur, vel quod judicet eorum aliquem affectibus obnoxium; sed quod pro re certissima credidit, quod sanctissimus dominus noster in neminem tam facile condescenderet, quam in dictæ rotæ decanum, ob idque de eo in instructionibus vestris mentionem fecit: sed commissiones in debita forma cum his nominibus fieri et conscribi jussit, quod si hic credidissemus, dom. Staphyleum ^cjusjurandum habitum istic iri pro suspecto affirmare potestis me fuisse omnino missurum consimilem commissionis formulam, spatio relicto pro aliquo alio inscribendo nomine, aliquamq; aliam super ea re instructionem me daturum fuisse; et haud dubie, si de nominibus duntaxat fuerit controversia, hæ rationes facile poterunt pontificem attrahere, ut in me consentiat, vel in Staphyleum. De aliis vero neminem admittetis, nec tamen pontifici apperietis vos, ne id faciatis habere in mandatis, sed superius enarratas

^b nisi illo, me^c jusjurandum om.

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causas in vestram excusationem allegantes, omnino ut vobis injungitur, ea in re insistetis.

Quod si nullis modis dictam commissionem et dispensationem impetrare poteritis, ad idq; nequiverit pontifex adduci, nisi rem prius alicui ex cardinalibus vel officiariis communicaverit, in eo tunc casu, ejus sanctitati in memoriam reducite, quot et quam gravia mala ex hujus negotii propagatione possent provenire, si ex ea occasione ^d aliqua contrarietas vel impedimentum suboriretur, unde regiae majestatis expectatio postmodum frustraretur; Quo igitur, si ullae injiciantur in hac re ^e tractanda difficultates, ut pontifex etiam facilior ad regium votum concedendum promptiorq; reddatur, alias etiam praeter has literas seorsim ad vos scripsi, quas una cum his accipietis, in quibus copiose aggressi, quam multas magni momenti rationes, ob quas sententia judiciumq; meum est, ne ullo pacto pontifex hanc petitionem regiae majestatis deneget; quas literas, quum in eis argumentum vehemens est, nec ob prolixitatem tedium aut molestum quod legatur, modum aliquem ipsius sanctitati legendi invenietis; spemq; certam habeo, si earum summa, tenor, atq; sententia profunde perpendatur, quam satis id esse poterit ad omnem tollendam difficultatem, quae ^f posset obversari in dicta commissione dispensationeq; obtinenda, in ^g eisque contenta sigillatim exponetis adeo, quod hoc negotium confici queat, arbitris aut consiliaribus ad id neutiquam accitis si fieri possit: si tamen pontifex speraverit se posse haec omnia eos celare qui huic rei forsanel voluerint refragari, et omnino decreverit aliquos cardinales vel officiarios istius causae participes facere, omnem tunc industriam statim adhibebitis, ut his cognitis, eorum gratiam et favorem in re vobis comparetis, partim eis respectus, et causas omnes in meis literis contentas, etiam in causae commodum facientes, uberius exponentes, partim vero eam remunerationem illis dantes, quae judicio vestro conveniens habebitur, dummodo optatum res sortiatur effectum. Et ut omnia queatis praestare commodius cum his, meas literas

^d aliquae contrarietates^e tractandae^f possit^g eis

accipietis quas ad cardinalem Sanctorum Quatuor et collegium cardinalium scribo, easque reddetis ut expedire censueritis, plane confidens nihil à vobis omissum iri, ut hac in re eorum gratiam, atq; favorem queatis obtinere, in quem eventum ea munera offeretis, quæ convenientia visa fuerint, regiaque majestas quicquid ejus nomine promiseritis, id fidelissime, uberrimeq; præstabit, pro quarum rerum expeditione, illis pecuniis uti poteritis per literas Cambii Venetias transmissis, ^h quos ut suffecerint necessariumq; vos existimaveritis rei impetrandæ. Et quum ambiguum sit an vobis licuerit hoc tempore ad pontificis præsentiam accedere, hujusmodi accessus defectus, si aliæ rem ad bonum exitum perducendi rationes non excogitarentur, causa esse posset longioris moræ, et totius rei impedimento; proinde regia majestas, ut modos omnes experiatur, nec uni soli inhæreat, hæc eadem in mandatis dedit domino secretario, quem non procul ab urbe esse intelleximus, quemadmodum in his aliisq; meis brevioribus literis continentur, ita quod alter vestrum, vel uterque si fieri possit, ad pontificis præsentiam accessum habeat, nihil tamen sub spe domini secretarii, vestræ vos diligentiae aut industriæ omittetis, nec ille sub spe vestra, in re hac modis omnibus promovenda remissior erit, sed nihil conjunctim aut divisim intentatum relinquetis. Quod si uterq; vestrum ad pontificem admittatur, alter de altero nescius, id non oberit sed multum proficiet, etiam si ante alterius adventum negotium hoc alter impetrasset, sed si aliquis vestrum cognoverit causam hanc expeditam esse, omniaq; pro certo impetrata esse, tunc labori et sumptibus pontificem pro eadem re accedendi parcere poteritis, neq; in ⁱ ea amplius ingerere, neq; necessarium aut opportunum erit, ut pro ulla alia re in præsentia quam pro hac apud sanctissimum dominum nostrum agatis, sed solum nunc procurabitis de commissione et dispensatione juxta formam ad vos missam obtinenda, necnon de profestatione illa, quam ^k compendii ad vos dedi, in quibus omnibus et singulis apte tractandis regia majestas magnam

^h quosq; suffecerintⁱ eam^k compendio

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fiduciam in vestra prudentia collocavit, in quibus cum tam magni sint momenti, ex regiae majestatis sententia nunc vobis maxime elaborandum est.

Deniq; quum intelligam dominum Lautrek nonnihil mirari, quod regiae majestatis istic agentis, nullam suorum mandatorum partem cum eo conferunt, ad eum nunc scribo, et nonnulla domino Roberto Jernyngham ei exponenda committo, concernentia actiones cum Ferrariae duce, et alia quaedam eodem domino Lautrek; significans vos missos esse ad dictas causas juvandas, et pontificis liberationem promovendam, quemadmodum ex literarum ad dominum Jernyngham exemplo cognoscetis: expediens itaq; fuerit, ut prae se feratis, vos dictae rei gratia missos esse, ne forsitan dominus Lautrek in falsam aliquam conjecturam aut suspicionem incideret, quae communibus rebus nocere posset, et in vestrarum quoq; actionum impedimentum redundare.

Illud deinde reticere nolui, quod si ullo pacto vobis liceat ad sanctissimi domini nostri praesentiam accedere, nihil omittatis in favorem et gratiam reverendi domini datarii, de cujus animo nihil dubitamus, comparandam; eiq; asseretis quod quum in nostris omnibus occurrentiis illius opera ac patrocinio semper usi fuerimus, ipse vero tanta semper fide ac sedulitate omnia effecerit quae nobis grata et optata esse cognovit, ut nostram omnem operam suis rebus reddideret promptissimam, et suae utilitatis et exaltationis cupidissimam. Quocirca haec regia majestas hac in re, qua nullam magis cordi habet, nec gravioris momenti quicquam sibi accidere posse judicat, ex animi sui sententia conficienda, post sanctissimum dominum nostrum, in domino datario spem omnem collocavit, qui ex hac occasione, si operam suam ad optatum usq; exitum interponere non gravetur, regiae majestatis animum ¹ac pectus, sic omni ex parte promerebitur, ut dicta majestas non solum omnia curatura sit, quae ex domini Veronensis commodo et ornamento fuerint, sed eam etiam munificentiam et gratitudinem addet, quae majorem vel integram partem, à captivitate redemptionis persolvendae compensabit; in me vero non aliam fidem et

¹ et

amicitiam experietur, quam ab ullo fratre posset expectare. **BOOK**
 Et bene valete. Londini ex meis ædibus. Die ^mV. **II.**
 Decemb. MDXXVII.

Vester tanquam frater amantiss.
 T. cardinalis Eborac.

IV.

Rome Jan. 1. 1528.

Two letters of secretary Knight's to the cardinal and the king, giving an account of his conference with the pope about his divorce. Taken from the originals.

PLEASE it your grace to understand, That immediately Cotton lib. Vitell. b. 10. fol. 2. upon the receipt of your grace's letters, severally directed unto Mr. ^aGregori and me; he and I resorted unto the pope his holiness, making congratulation of his restitution unto liberty on ^bthe king's and your behalf, to his singular comfort and consolation; and so much the more, because that I was the first that made like salutation in any great prince's name; he being well assured that I spake the same on the behalf of his two chief, sincere, and unfeigned friends: wherefore with great high thanks, and long discourse, with rehearsal of the king's and your merits and acts, in most vertuous and catholick manner, employed for his restitution ^cunto liberty, and your continual and effectual study how the see apostolique might recover the pristine reputation and dignity: he confirmed as much as I had spoken. After this Mr. ^dGregori and I enter'd into our charge, shewing at length the high deserts of the princes and realm of England, the devotion of the same towards the church; how expedient it was, as well for the see apostolique, as for the said realm, to foresee and provide that all occasions of dissention and war were extinct and put away; which for lack of heir male of our sovereign's line, and

^a quinto
^d Gregory

^a Gregory

^b yours and his

^c unto liberty, *om*

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stemm, should undoubtedly follow, with other considerations at length contained in our instructions. We desired his holiness to commit the knowledge of the dispensation that was obtained in time of ^cJuli, of famous memory, for matrimony to be had between the king and the widow, relict late of prince Arthur; and that he might have it in form as that was that your grace sent hither. His holiness answered, That our sayings had great likelihood of truth, for lacking of issue male of the king's stemm, considering the nature of men being prone unto novelties, and disposed unto parties and factions, the realm of England would not only enter into their accustomed divisions, but also would owe or do small devotion unto the church; wherefore his holiness was right well content and ready to adhibit all ^fremedies that in him was possible as this time would serve. And because he was not expert in making of commissions, he would consult with the cardinal Sanctorum Quatuor, and use his advice, which we should shortly know.

We perceiving that the obtaining of our charges after the king's and your grace's pleasure, depended much upon the advice of Sanctorum Quatuor, did prevent his going unto the pope, and delivering your grace's letters with recommendations accordingly, we desired him to be good and favourable unto our requests in the king's behalf; and for the better obtaining of our desires, we promised to see unto him with a competent reward. And this communication had, we shewed unto him the commission, which he said could not pass without perpetual dishonour unto the pope, the king, and your grace; and a great part of such clauses as ^{sb}eth omitted, he hath touched and laid reason for the same in a writing, which I do send unto your grace with this. Considering his great experience, wisdom, learning, and the entire affection that he beareth unto the king and your grace; and that it was far from the king's desire, and nothing for your purposes, that I should first have sent the said cardinal's sayings unto your grace and abide answer, and eft-

^c Julius,^f remedy^s be

soons ^bperadventure to do the same : considering also that the said king desireth a commission convenient and sufficient, we desired him to make the minute of one, which he gladly did ; when it was made, the pope said, That at his being in the castle of St. Angelo, the general of the Observants in Spain, required his holiness, in the emperor's name, not to grant unto any act that might be preparative, or otherwise, to divorce to be made between the king and the queen : and moreover desired an inhibition, that the said cause should not come in knowledge before any judge within the king's dominions. The pope answered that *inhibitio non datur nisi post litem motam*. And as unto the first his holiness was content, if any like thing were demanded, to advertise the emperor before, that he did let it pass ; and this was in a manner for his holiness being in captivity. But his holiness being yet in captivity, as your grace ^kreporteth, and esteemeth him to be as long as the Almaines and Spaniards continueth in Italy ; he thought if he should grant this commission, that he should have the emperor his perpetual enemy, without ^lhope of any reconciliation : notwithstanding he was content rather to put himself in evident ruin, and ^mutterly undoing, than the king, or your grace, should suspect any point of ⁿingratuyte in him, heartily desiring *cum suspiriis et lacrymis*, that the king and your grace, which have always been fast and good unto him, will not now suddenly precipitate him for ever ; which should be done, if immediately upon delivering of the commission, your grace should begin process. He intendeth to save all upright thus : If monsieur de ^oLoutrec would set forwards, which he saith daily that he will do, but yet he doth not, at his coming the pope's holiness may have good colour to say, He was required by the ambassador of England of a like commission. And denying the same, because of his promise unto the general, he was eft-soons ^prequyred by monsieur de ^qLoutrec, to grant the said commission, inas-

^b prevent ⁱ to a divorce ^k reports, ^l any hope of ^m utter
ⁿ ingratitude ^o Lautrech ^p requyred *om.* ^q Lautrech,

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much as it was but a letter of justice. And by this colour he would cover the matter, so that it might appear unto the emperor, that the pope did it not as he that would gladly do displeasure unto the emperor, but as an indifferent prince that ^rcould nor might deny justice, specially being required by such personages; and immediately he would dispatch a commission, bearing date after the time that ^smonsieur de Loutrec had been with him or ^there unto him. The pope most instantly beseecheth your grace, to be a mean that the king's highness may accept this in a good part, and that he will take patience for this little time, which as it is supposed will be but short, and (*in omnem eventum*) I do bring a commission with me, and a dispensation, which I trust the king and your grace will like well.

We have given unto my lord cardinal Sanctorum Quatuor ^uij. M. crowns, and unto the secretary ^xXXX. crowns.

With this your grace shall receive a letter from the pope's holiness, Item, a council of Oldrand, that giveth light unto the king's cause; I shall make the most diligence homeward that I can. Our Lord ^yJesu preserve your grace.

At Orvieto, this
first day of January.

Your most humble servant
and chaplain,
W. ^zKnighte.

Rome Jan. 1. 1528.

To the KING.

Ibid. fol. 4. PLEASE it your highness to understand, That as soon as the pope was at liberty, and ^acum unto Orvieti, I resorted unto his holiness with all diligence; and at my coming unto him, did make congratulation on your highness behalf; forasmuch as he was restored unto his liberty, which he accepted very joyfully and thankfully, giving unto your high-

^r could not, nor ^s monsieur Lautrech ^t nigh ^a 4000 ^x 30
^y Jesus ^z Knight ^a came unto Orvieto,

ness manifold and high thanks for your great goodness, as well proved in his adversity, as when he was in his most felicity. After this he rehearsed my being at Rome, how dangerous it was, inasmuch as when my being there was detect, espial was made, and I was not passed out of Rome by the space of two hours, ^bor two hundred Spaniards invaded and searched the house. He shewed also that he had received all such letters as I at my being in Rome did send unto his holiness; whereby he ^cperceived the effect of your highness desire concerning your dispensation: and albeit he did send me word that I should depart, and his holiness would send unto me the said dispensation fully speed. Nevertheless he trusted that your highness would be content to tarry for a time: for the general of the Observants in Spain being lately in Rome, had required him, according unto his instructions, that he should suffer nothing to pass that might be prejudicial, or against the queen, directly or indirectly, but that the pope should first advertise thereof certain of the Cæsarians here. And forasmuch as this dispensation might encourage your grace to cause my lord legate *auctoritate legationis* to hear and discern in the cause that your highness intendeth, and his holiness standeth as yet in manner in captivity and perplexity: his holiness therefore besought your grace to have patience for a time, and it should not be long ^dor your highness should have, not only that dispensation, but any thing else that ^emy^t lie in his power. I replied unto this, That his holiness had once granted it, and that I had dispatched a post, and made relation thereof, by my writings, unto your highness; so that I could not imagine by what reason I might perswade unto you ^fto beleve that he would perform the promise that he had once broken. In conclusion; he was content that your highness should have it, but he would have it delivered with this condition; that the ^gprothonotary Gambora and I should beseech your highness not to attempt any thing in

^b e're^c did perceive^d e're^e may^f to beleve *om.*^g prothonotary and Gambora

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your cause against the queen, till such time as the pope were frankly at his liberty; which could not be as long as the Almaynes and Spaniards did thus reign in Italy; and promise made, we should deliver the dispensation: and in my poor judgment, it was best always to be in possession of this dispensation. After this he shewed the minute unto the cardinal Sanctorum Quatuor, willing him to reform it according ^h unto the stile of this court; which done, he shewed it unto me, and after said, That he thought good ⁱ that I should depart, because I rode but competent journeyes, and the prothonotary Gambora should follow by post and bring the bull with him, which is of the same form and substance that your highness's minute is of: and if there be any thing omitted, or to be added, his holiness is always content to reform it, and to put it under the same date that the same dispensation now beareth; the copy whereof I do send unto your highness with this, the commission general and protestation being void, because they were conceived *durante captivitate* only. And here on my behalf, none other ^k thing to be done, I took my leave of the pope and departed. At my coming unto Scarperii near unto Bonony, I did meet with Thadeus ^l this courier; which brought certain expeditions triplicat; the one unto the ^m prothonotary Gambora, the other unto Gregory de ⁿ Cassalis, and the third unto me; among which was a general commission ^o duplicat, the one to be committed ^p unto my lord legate, and if that could not be obtained, because my lord legate might be thought partial, then the same to be committed unto Staphileius. Item; there was a copy of a dispensation, where I perceived, by your grace's letter, that your pleasure was to have your dispensation in form, after the minute that Barlow brought; which was then sped, and already passed; so remained nothing to be sped, but the ^q commission. Your highness pleasure thus known, I caused my servants to continue their journey, and with one

^h to ⁱ that om. ^k thing being to ^l his ^m prothonotar
ⁿ Cassali, ^o triplicat, ^p to ^q commission your highness pleases.
 This knowing,

servant and this courier, I returned unto ^rOrvieti with post-horses, where Mr. Gregory and I, with much business, have obtained a commission directed unto my lord legate, not in the form that was conceived in England, but after such manner as is sufficient for the cause, and as I trust shall content your highness; wherein the lord cardinal Sanctorum. Quatuor, hath taken great pains to pen, as well your dispensation as ^sthis commission; for which, and that hereafter he may do unto your highness the better service, Mr. Gregory and I have ^trewarded with ij. M. crowns, of such money as your highness hath caused to be made unto Venice for the furtherance of your causes. But albeit that every thing is passed according ^uunto your highness pleasure, I cannot see, but in case the same be put in execution at this time, the pope is utterly undone, and so he saith himself. The ^ximperiall doyth daily spoil castles and towns about Rome; monsieur de ^yLoutrec is yet at Bonony, and small hope is of any great act that he ^zintendeth. The Cæsarians have taken, within these three days, two castles lying within six miles of this ^atowne: and the pope being in this perplexity, not assured of any one friend but of your highness, that lieth too far off; if he do at this time any displeasure unto the emperour, he thinketh he is undone for ever; wherefore he puts his honour and health wholly into your highness power and disposition. This morning I return homewards, and Gregory de ^bCassalis goeth ^cin company as far as unto Florence; and from thence he goeth unto monsieur de ^dLoutrec, to solicit him forwards, if it may be. The Holy Ghost send your highness a prosperous new year, and many.

At ^eOrvieti, the first
day of January.

Your most humble subject,
servant, and chaplain,
W. ^fKnighte.

^r Orvieto ^s the ^t rewarded him with 4000 ^u to ^x imperialists do
^y Lautrek ^a intends. ^a towne om. ^b Cassali ^c in my company
^d Lautrek ^e Orvieto, ^f Knight.

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V.

Rome 10 Jan. 1528.

A part of an original letter from the same person to cardinal Wolsey, by which it appears that the dispensation was then granted and sent over.

Cotton lib.
Vitell.
b. 10.
fol. 31.

YOUR grace commandeth, That I should send the commission and dispensation with diligence, in case they were sped, before the receipt of your grace's letters sent at this time. Wherefore the prothonotar Gambora and I being commanded *sub pœna excommunicationis* to deliver the same, with a certain request to be made to the king's highness and his grace, at the time of delivery, I send the same at this time unto Gambora, requiring him in any wise to make diligence towards the king's highness, and not to abide my coming; the request and cause thereof your grace shall perceive by mine other letters adjoined herewith. And supposing that when your grace hath seen my letters, and the dispensations, and considered this time well, it may ^abechance that the king and your grace will be ^brizt well content with that that is passed, without suing for any other thing that could not be obtained without long tract, and peradventure not so. Your grace hath committed as much unto Gregory de ^cCassalis at this time, as unto me, which being near unto the pope, will without fail do his best diligence: and if it shall be thought good unto the king's highness and your grace, that I do return unto Orvieto, I shall do as much as my poor carcase may endure, and ^dhereby at ^eTuryne I shall abide the knowledge of your grace's pleasure. The datary hath clean forsaken the court, and will serve no longer but only God and his cure. The cardinal Campegius continueth in Rome sore vexed with the gout; the cardinals Pisane, Triulcis, Ursine, Gadis and Cesis, remaineth for hostages. The cardinals, ^fMounte, Sanctorum Quatuor, ^gRadulph, Ravenna, and Perusino, be

^a chance ^b rather ^c Cassali ^d thereby ^e Turine ^f Monte,
^g Ridulph,

with the pope; the rest ^hbeth absent. Our Lord ⁱJesu BOOK
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preserve your grace.

At Aste, ^kthis 10th
day of ^lJanyvere.

Your most humble beadsman
and servant,
W. ^mKnighte.

VI.

Orvieto the 13th of January.

^aFrom Gregory Cassali's letter about the method in which
the pope desired the divorce should be managed. Taken
from a copy written by cardinal Wolsey's secretary.

HERI et hodie ad multam diem sum alloquutus sanctum Cotton lib.
Vital.
b. 10.
dominum nostrum de mittendo legato, insequens ordinem à
reverendissimo domino Eboracen. suis literis °xxvii. De-
cemb. mihi præscriptum. Pontifex ostendit se cupidissi-
mum satisfaciendi regiæ excellentiæ, cui omnia se debere
fatetur, Pet ab ea sola omnem suam salutem sperat, et nunc
habuit mecum longum de hac re colloquium, ut inveniatur
modus omnia bene, firme, et secure faciendi, quo facto et
tueri possit; ideoque consulere voluit judicium cardinalis
Sanctorum Quatuor et Symonettæ, qui excellentior et doc-
tior auditor rotæ est, cum quibus sub sigillo confessionis
egit, ut ex eorum consilio inveniatur modus ad moram tol-
lendam, et causam secure peragendam: atq; ita pontifex
cum illis, in hoc quod sequitur, se ¶resolvit, videturq; op-
timus, verus et securus modus, et me rogavit, ut nullo pacto
dicam hoc obtinuisse ab ejus sanctitate sicuti revera obtinui,
nam Cæsariani eum statum pro suspecto allegarent, sed
quod dicam me habuisse à 'cardinale Sanctorum Quatuor
et à dicto auditore. Dicunt quod rex deberet committere
istic causam cardinali, ratione commissionis quam attulit
secretarius, vel propria authoritate legationis, quod facere
potest; et ubi causa fuerit commissa, si rex conscientiam

^h abides ⁱ Jesus ^k the ^l January. ^m Knight. ^a From om. ° 27.

[¶] et ab ea sola omnem suam salutem sperat, om. [¶] resolvit, ['] cardinali

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suam persentiat coram Deo exoneratam, et quod recte possit facere quod quærit, quia nullus doctor in mundo est, qui de hac re melius decernere possit quam ipse rex, itaq; si in hoc se resolverit, ut pontifex credit, statim causam committat, aliam uxorem ducat, litem sequatur, mittatur publice pro legato, qui consistorialiter mittetur, ita enim maxime expediret: nam cardinalis Sanctorum Quatuor et Symonetta dicunt hoc certum esse, quod^{*} si regina citetur illa nihil volet respondere nisi quod protestabitur locum et iudices suspectos esse, et Cæsariani petent à pontifice per viam signaturæ justitiæ inhibitionem, qua rex aliam nullam possit uxorem capere, et si capiat proles non sit legitima donec causa non definiatur, et petent commissionem qua causa audiatur in curia; de inhibitione vero pontifex non potest negare, neq; et commissionem nisi injustitia et mera^s jus inferatur, adversus quam omnis mundus exclamaret. Quod si rex aliam uxorem ceperit, hoc non possunt petere, et si petant, negabit pontifex quod jure possit, nec aliud dicere poterunt vel allegare, nisi quod cardinalis Eboracen. et cardinalis mittendus et locus sit suspectus, et petere quod causa videatur hic, in quo si deducatur, statim feretur sententia quam pontifex maturabit, non servatis terminis propter momentum negotii et alias rationes, quas sciet pontifex adducere, et ita hic obtinebuntur sententiæ quæ per totum orbem approbabuntur, quibus nullus Hispanus aut Germanus poterit contradicere, et mittentur in Angliam declarandæ per cardinales prout rex voluerit, et hoc etiam non obstante pontifex mittet cardinalem.

Tandem hic est modus rebus omnibus secure medendi, ad quem sequendum vos pontifex hortatur, et rogat, ut nihil dicatur quod ab eo procedat. Iste modus non videtur inutilis, quia hic auditor asserit, non aliter esse faciendum si bene volumus; et quia reverendissimus^t D. Eboracen. instat pro celeritate, interim accersiri poterit qualiscunq; legatus rex voluerit, et magis satisfiet vulgo in mittendo legato, veluti ad definiendam causam, et hic etiam ut dixi omnia fient quæ super id rex petierit.

^{*} vis

cardinalis dominus

Præterea pontifex, id quod fecit ut me resolverem ad has literas scribendum, contentus est mittere quemcunq; cardinalem ego petiero, sed ait oportere ut aliquis mittatur habilis, id est, doctor in jure, vel in theologia, qui sunt isti Campegius, ^u Cæsarinus, Senensis, Cesis, Araceli, Monte, qui senex est et immobilis; Cesis in obsidem ivit Neapolim, ^z Cæsarinus episcopatum habet in Hispania, Araceli podagra laborat et frater est, Senensis est imperialis et non valde prudens, Campegius esset maxime ad propositum, sed Romæ est locum tenens pontificis, unde non posset discedere, continuantibus discordiis inter Germanos et Hispanos, neq; auderet egredi à castro; sed hoc periculum et dubium brevi expedietur, nam intra octo dies Cæsariani cogentur sibi consulere ut eant in regnum, si dominus ^y Lautrec eo progrediatur, vel ibunt Senas per iter Florentiæ, et tunc Campegius poterit exire, et si rex ita jusserit statim accingetur itineri. Pontifex jussit ut scribam, quod nunquam ingenio aut studio deerit in excogitando ut adimpleat desiderium et voluntatem regis, et quod solum ista proponit pro meliori securitate, ne ista fiant quæ postea referri debeant, quod pareret dilationem et difficultatem, et quantum ego possim conjicere pontifex exoptat satisfacere regiæ voluntati. Pontifex denuo replicavit quod se totum rejicit in brachia regiæ majestatis, et quod certus est quod Cæsar nunquam hoc illi ignoscet, et quod ex hac occasione vocabit eum ad concilium, vel nihil aliud quæret nisi ^z ut omni statu et vita privet, et dicta sanctitas parvam spem habet in Gallis, nisi quantum operabitur per regiam majestatem et reverendissimum dominum Eboracen. Ad quod respondi, illum ex præteritis et præsentibus posse judicare futura. Tandem affirmo, quod si semel tollatur Cæsarianorum metus, poteritis ex arbitrio vestro disponere de sede apostolica.

Cardinalis Campegius ad pontificem scripsit, quod sunt tres dies ex quo frater generalis communicaverat secum negotium regiæ majestatis, et quod dixerat ut ad ejus sanctitatem scriberet, ut omnino faceret aliquam inhibitionem, ne

^u Cæsarianns, ^x Cæsarianus ^y Lautrek ^z ut eum omni

BOOK causa istic tractaretur. Ad quod pontifex non respondit,
 II. sed respondebit, se nihil de eo posse facere, quia non pendet
 causa.

VII.

Januar. 1528. ad collegium.

*A duplicat. The king's letter to the collidge of cardinals;
 from which it appears how much they favoured his cause.*

Cotton lib.
 Vitell. b.
 10. fol. 52.

HENRICUS rex, reverendissimis in Christo patribus dominis episcopis, patribus et diaconis S. R. E. cardinalibus et amicis nostris carissimis salutem. Nihil unquam tam grande esse posse putavimus, quin de ista sancta sede, vestrarumque reverendissimarum dominat. summa erga nos benignitate, illud semper audacter nobis fuerimus polliciti, quod certe sacrosanctum istud collegium, quotiens ullam nobis gratificandi occasionem oblatam habuit, cumulatissime præstitit: cæterum benevolentiam istam vestram, et singulare in nos studium, nunc longe superavit alacritas quam in nostra omnium gravissima causa, juvanda ac promovenda, in publico consistorio, amantissime omnes exhibuistis, quo certe beneficio sic sacro isti collegio sanctissimæque; isti sedi adstrictos nos fatemur, ut vehementissime optemus gratiam, vel sanguine ipso publice ac privatim reverendissimis dominat. vestris quoque posse referre. Quocirca iterum eas impense rogamus, ut in suo erga nos affectu perseverare non graventur, efficiamusque; (Deo bene juvante) ut brevi perspicient, apud gratum et memorem principem, sanctæque; Rom. ecclesiæ observantissimum, sua se beneficia et officia collocasse. Interim vobis quas possumus ex animo, tum his literis, tum per oratorem istic nostrum immortales gratias reverendissimis vestris dominis agimus, existimetisque; quicquid à nobis præstari queat, id suo ornamento et commodo promptissimum futurum ^bet feliciss.

^a S. Sanctum

^b et feliciss. om.

VIII.

Febr. 10. 1528.

A duplicate of the cardinal's letter to the pope, about the divorce; corrected with his own hand.

BEATISSIME pater, post humillimam commendationem, et sanctissimorum pedum oscula, doleo atq; gravissime excrucior, quod ea quæ tanta solitudine, literis et nuntiis apud beatitudinem vestram ago, nequeam, ut unice et rerum omnium maxime vellem, prius tractare, hoc est, negotium potentissimi domini mei regis, negotium inquam rectissimum, honestissimum ac sanctissimum, in quo procurando non aliter me interpono, quam in ejus regiæ majestatis salute tuenda, in hoc regno conservando, in publica tranquillitate fovenda, in apostolica ^a autoritate, in mea deniq; vita et anima protegenda debeo. Beatissime pater, ad vestræ sanctitatis genua provolutus, obsecro et obtestor, ut si me Christianum virum, si bonum cardinalem, si ^b sacrosancto isto senatu dignum, si apostolicæ sedis membrum non stupidum et inutile, si recti, justitiæque cultorem, si fidelem creaturam suam, si demum æternæ salutis cupidum me existimet, nunc velit mei consilii et intercessionis rationem habere, et piensissimis hujus regis precibus, benigne, prompteq; adnuere; quas nisi rectas, sanctas ac justas, esse scirem, omne prius supplicii genus ultrò subirem, quam eas promoverem, pro hisq; ego vitam meam et animam spondeo. Alioquin vereor (quod tamen nequeo tacere) ne regia majestas humano, divinoq; jure (quod habet ex omne Christianitate suis his actionibus adjunctum) freta, postquam viderit sedis apostolicæ gratiam, et Christi in terris vicarii clementiam desperatam, Cæsaris intuitu, in cujus manu neutiquam est tam sanctos conatus reprimere, ea tunc moliatur, ea suæ causæ perquirat remedia, quæ et non solum huic regno, sed etiam aliis Christianis principibus, occasionem subministrarent, sedis apostolicæ auctoritatem et jurisdictionem imminuendi, et vilipendendi non absq; Christianæ reip. perturbatione: quibus

Cotton lib.
Vitell. b.
10. fol. 78.

^a autoritate,^b S. Sancto

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malis potest vestra sanctitas sua ^cauthoritate et prudentia mederi. Hæc loquor ut Christianus, et ut devotissimum istius sedis membrum sincere suadeo; non affectus, non principis amor, non servitutis vinculum me impellit, sed sola rectitudine ad id adducor. Cæterum animi sollicitudo non sinit plura exprimere. Vestra sanctitas in tam justo regis voto adnuendo, sic ejus majestatis animum sibi devinciet et conservabit, ut non solum ipse et ego, sed omnes ejus subditi sint ad omnem occasionem, opes, vires, et sanguinem in sanctitatis vestræ, ^det apostolicæ sedis beneficium, libentissime profusuri. Mitto ad beatitudinem vestram hujus rei gratia, dominum Stephanum Gardinerum, primum secretissimorum conciliorum secretarium, mei dimidium, et quo neminem habeo cariorem; referet ille cuncta distinctius, meum pectus aperiet. Vestram igitur sanctitatem humillime rogo, ut eum loquentem me loqui ^eexistimare, et eam fidem quam præsentī mihi haberet, illi et domino Edwardo Foxo regio familiari in omnibus præstare, et me à tam anxia expectatione liberare dignetur.

IX.

Cardinal Wolsey's letter to Gregory Cassali, directing him to make presents at Rome.

Cotton lib.
Vitell. b.
10. fol. 67.

TANTA deinde sunt, tamq; magna officia, quæ reverentissimus dominus Sanctorum Quatuor, tum erga regiam majestatem, tum erga me, nunquam non amantissime exhibuit, ut quum ea in agendis gratiis assequi ^aconamur, id animo facilius complecti, quam exteriori ullo propensæ nostræ in eum voluntatis testimonio indicare queamus: ad nostriq; in eum summum studii et affectionis cumulum, nunc tantum accessit, quantum vix unquam possit à nobis exsolvi; licetq; de ejus reverend. dominat. ingenti regiæ majestati, et mihi gratificandi ardore nunquam addubitaverim, sic tamen pectus suum, in regiæ majestatis promovenda juvandaq; causa, sic in meis ^bseorsum curandis expediendisq; negotiis,

^c autoritate^d et om.^e existimares,^a conantur,^b seorsim

operam, fidem, ^cauthoritatemq; suam interposuit, ut non minora semper ^deffecerit, quam nos optare potuerimus: quo certe nomine, ita utrumque nostrum, suo suorumq; omnium commodo et ornamento devinxit, ut non prius conquieturi sumus: quam aliquo indicio rebus ipsis nostram vicissim gratitudinem fuerimus testati; quot enim modis et quanta solitudine reverendissimus Sanctorum Quatuor de nobis sit optime meritus, res præstita indicat et dominus Stephanus secretarius meus suo sermone ac relatu assidue prædicat; et quamvis munusculum illud olim oblatum recusaverit, non tamen regis majestati satisfactum esse potest, nisi memoris sui animi pignus aliquod exhibuerit. Quocirca cum eodem reverendissimo domino dexterrime agite, ut in familiari aliquo colloquio eliciatis, quibus rebus ille maxime oblectetur, mihiq; quam primum significate, num illi, aulæa, ^evasa aurea, aut equi maxime probentur, efficiamq; ne putet apud principem inhumanum aut ingratum sua se officia collocasse. Intellexi quoq; ex eodem domino Stephano, quam ardentem idem dominus Sanctorum Quatuor cupiat ædificium Sancti Petri absolvi, veluti monumentum illud religionis ac pietatis perpetuo futurum, quod certe ejus animi consilium, ut sanctum ita dignissimum censeo, ut Christianorum principum liberalitatem quam plurimum mereatur; meo igitur nomine illi affirmabitis, sic meam me esse operam apud hunc serenissimum regem interpositurum, ut palam constet omnibus, me ecclesiæ membrum non omnino inutile aut stupidum esse.

De aliis vero rebus in quibus ^s S^{mi}. D. N. benignitatem et reverendissimi domini Sanctorum Quatuor opera et patrocinio regis majestati et mihi in præsentia est opus, per dominum Stephanum copiose vos instruo, iterum atq; iterum impense rogans, ut solita vestra diligentia et sedulitate ex nostra expectatione eas curare conficereq; velit.

^c autoritatemq;^d efficeret,^e vaso

illi om.

s S.

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X.

Rome Feb. 1527.

The decretal bull that was desired in the king's cause.

Clemens PP. VII.

Cotton lib.
Vitell. b.
12. fol. 178.

DILECTO, &c. Salutem et apostolicam benedict. sedis apostolicæ suprema autoritas potestatis suæ copiam sic omnibus exhibet, ut pro causarum, personarum et temporum qualitate remedia singulis ad ædificationem subministrare, et causas ad canonum sanctiones expensas æquissima certissimæ lance trutinans, laborantibus conscientiis et fluctuantibus consulere, summamque ipsis tranquillitatem statuere contendat. Cum itaque *charissimus in Christo filius noster Henricus Octavus Angliæ rex, fidei defensor, et dominus Hiberniæ, sua nobis conquestione monstraverat, quod cum annos abhinc decem et octo nobilem mulierem Catharinam Ferdinandi quondam Hispaniarum regis filiam, illustris principis Arthuri fratris sui defuncti quondam uxorem, hortatu, suasu, ac consiliis eorum, quibus se totum in prima regni sui administratione crediderat, quadam sedis apostolicæ dispensatione prætensa sibi bona fide matrimonio copulasset, ac ab eo tempore hactenus cum eadem tanquam cum uxore cohabitasset, prole interim foemina suscepta et superstite ex eadem, ac jam tandem post desperatam prolem masculam, de stabilienda et confirmanda ejusdem filiæ suæ successione cogitaret, lustratisque scriniis dictam super matrimonio præfato dispensationem faceret proferri, doctorumque virorum judicia examinari, cujus quidem dispensationis tenor sequitur, et est talis, &c.

Quidam sanctionum et canonum ecclesiasticorum consulti, datum dictæ [*cum narratis ejusdem conferentes, aliasque nonnullas circumstantias quæ tum ante dictæ] dispensationis impetrationem, quæ etiam post eandem impetratam intervernerunt, ponderantes, tum quod causa quæ in bulla prætensa

* clarissimus

[* The words in brackets form an interlineation in a different hand, though of the same age.]

est pacis continuandæ, viz. quæ ipsa tum coaluerat, fœderibus percussis firma constiterat, mutuis etiam populorum commerciis aucta, nullum suæ violationis timorem incutiens, qui justus et non omnino vanus dici posset, nec urgentissima proinde nec evidentissima videretur, qualem prohibitionis relaxatio exigit et requirat; tum quod preces falsæ erant dum narrabatur prædecessori nostro, eundem ^bcharissimum filium nostrum tum cupere cum dicta charissima domina Catharina contrahere matrimonium, ad hoc ut pacis fœdera diutius continuarentur, cum eo tempore, ut asserit, impetrationem prorsus ignoraret, et per ætatis immaturitatem, duodecimum, viz. annum non excedentis, affectum hujusmodi inducere non potuerat; tum quod protestatione postmodum interveniente et vim renunciationis habente, dispensatio tunc per renunciationem extincta videretur; Denique quod principes inter quos fœdera conservarentur, ante mandatam executioni bullam fatis concesserant; bullam ipsam, ^ctam ex surreptionis et obreptionis vitiis, quam aliis etiam de causis minus validam et inefficacem esse renunciârunt et retulerunt, scrupulum dicti regis animo conscientiæque gravem injicientes eamque illi opinionem inducentes, ut matrimonium prædictum non consistere, neque hactenus jure constituisse judicaret. Porro autem cum frequentius apud se, ut asserit, animo volveret, ac medicaretur, quales exitus hujusmodi nuptiæ præfatæ habuerunt, ex quibus, viz. aliquot partus masculi imperfecti parumque vitales prodire, atque ideo se omni spe successoris prorsus destitui, ^dqui suam familiam ad paucos redactam conservaret, occurrente simul memoriæ divina interminatione quæ fratris sui turpitudinem revelanti, et illius uxorem contra S. sancta Dei præcepta accipienti inscribitur, præsertim ubi dispensatio non interveniat, quæ ex omni sua parte valeat et consistat, nonnullis etiam affirmantibus nostram non eatenus potestatem patere ut in ea specie gratiam faciamus, etiamsi ut scribit de nostræ potestatis plenitudine non dubitet, juste duntaxat legitimeque interpositæ, quam summam in terris agnoscit et veneratur, ad improbandas illas nuptias tantum undique

^b carissimum^c tum^d quo

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videt consensum ut illas animo abhorreat, nec aliorum rationibus posset dissuaderi quin abominandas eas judicet, et Divinæ majestati odiosas. Denique idem ^ccharissimus filius noster debita cum instantia nos precibus sollicitaverit, quatenus personæ suæ et regni nobis semper devotissimi rationem habentes, maturo judicio ab angustiis liberemus, quibus se usu præsentis matrimonii per legem conscientiae privatum, nec ad aliud per leges publicas ante sententiam admissum, vehementer conqueritur comprehensum esse. Nos igitur considerantes quot, quanta, tum in sedem apostolicam, tum in fidem Christianam officia præ cæteris exhibuerit, promeritus eo nomine ut nostræ vicissim potestatis gratiam uberriam et promptissimam referat, aliamque illius causam atque privati esse, ex qua nimirum pendeat salus plurimorum, nec posse dictæ causæ decisionem diutius proferri et protelari sine gravi discriminis periculo, dicti vero principis cruciatu ^fmaxime quæ nos ex gratitudinis vicissitudine ^gminuere debeamus, qua decet festinatione procedi facientes ut ad finem celerrime perducatur, de consilio fratrum nostrorum, quorum in hac causa tam gravi atque urgenti iudicium adhibuimus, ac etiam eorum quos et sacræ theologiæ peritissimos et juris ecclesiastici callentissimos desuper consulendos audiendosque putavimus, quoniam vitia et defectus prædictos ejusmodi esse comperimus, quæ pensata præfatæ prohibitionis natura, vires ipsius bullæ merito enervarent; quo magis, viz. ^hattestemur et palam faciamus, quanta animi cura ^tsolicitudine præfati ⁱcharissimi filii nostri conscientiam ^kejusmodi scrupulis et difficultatibus impediri, implicari atque vexari sustineamus, cum ^lalioqui te dilectum filium nostrum cardin. Eboracen. in illa provincia et apostolicæ sedis legatum, à præclaris animi tui virtutibus, ad justitiam vero et æquitatem propensissimo sincerissimoque affectu nobis sic commendatum et cognitum habeamus, ut tibi merito soli omnem nostram auctoritatem, cum in hac causa expedienda, tum etiam in reliquis committendam putaverimus, dignissimus quidem nobis existimatus, qui partes

* carissimus ^f maxima ^g minueret ^h attestamur ⁱ carissimi
^k hujusmodi ^l alioquin

nostras tractes et vices absentis posses supplere: Te tamen dilectum filium à nobis specialiter ^{istinc} destinandum duximus, ut conjunctim in hac causa procedere possitis, ita nihilominus propter incertum casuum eventum mandatam auctoritatem temperantes, ut altero vestrum nolente aut impedito, alter omnia exequi et causam fine debito valeat terminare. Vobis ut præfertur conjunctim, et ut præfertur divisim, ad cognoscendum et procedendum summarie et de plano, sine strepitu et figura judicii, ac de, et super viribus dictæ bullæ sive dispensationis inquirendum, ipsamque bullam sive dispensationem, si de vitiis prædictis aut eorum aliquo tali probatione constiterit, quæ licet aliis minus clara videatur, animo tamen religioso, conscientiæque vestræ, aut ejus vestrum qui in hac causa processerit, divisim, ut præfertur, satisfecerit, et verisimile apparuerit, vel pacem quæ in bulla prætenditur sine hujus matrimonii contractu consistere potuisse et continuari, vel dictum charissimum filium nostrum, ut allegabatur, non cupiisse contrahere matrimonium ad hoc ut pacis fœdera conservarentur, vel deniq; principes in bulla nominatos, inter quos fœdera per illud matrimonium continuatum iri allegabatur, ante mandatam executioni bullam fatis concessisse, ipsam nullam, minus validam, ex surreptione et obreptione inefficacem, irritam et inanem fuisse, semper et esse pronuntiandam et declarandam; Matrimonium autem prædictum, quod ejusdem virtute consistere videtur, nullum simul ac minus legitimum esse, ac pro nullo minusq; legitimo haberi debere decernendum; ipsos porro contrahentes ab omni contractu matrimoniali hujusmodi liberos, à consortio conjugali quod hactenus observârunt separari debere ^{sententiandum}, et auctoritate nostra separandum. Deniq; utrumque ad contrahendum cum alio vel alia, novum conjugium ineundi, licentiam et facultatem tribuendum et concedendum, citra omnem recusationem, aut appellationis interpositionem, committimus et demandamus vices nostras; ac vos conjunctim, et altero vestrum nolente ut præfertur aut impedito, divisim, ad præmissa exercenda et ^{expedienda}, plenæ finaliq; executioni demandanda, vica-

^{istuc} ^{sententiandum}, ^{expedienda},

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rios nostros et nostrum vicarium, aut si quo alio nomine uti poterimus, quod demandatam in prædictis ^pauthoritatem ampliaret, cum omni potestatis plenitudine tam absolutæ quam ordinariæ, quatenus vel ad præfati matrimonii congruam dissolutionem, vel novi contrahendi firmam constitutionem, expedire videbitur aut pertinere; ita etiam ut autoritate præsentis commissionis nostræ, cum omnibus illis canonibus, ad validiorem efficaciorumq; processus vestri firmitatem poteritis dispensare, ^qquicumq; eidem ob stare putabuntur, omnemq; defectum quacunq; ex causa contingentem nostræ autoritatis interpositione, dispensatione apostolica supplere possitis et valeatis, tam prolem ex primo matrimonio susceptam propter bonam fidem parentum, si ita expedire visum fuerit, legitimam decernendo, ^rpronunciando et promulgando, quam ex secundo matrimonio suscipiendam; legitimitatem etiam utriusq; prolis, censuris et pœnis ecclesiasticis quibuscunque, per modum decreti aut sanctionis perpetuæ muniendo et vallando, omnibus validioribus et efficacioribus modis et formis quæ de jure concipi et excogitari ^spoterint, facimus, constituimus et ordinamus per præsentem: Et quicquid per vos conjunctim, ut præfertur, aut divisim procedentes, per cognitionem ^tjudiciariam summariam, aut extrajudiciariam, processus quoscunque; faciendo, pronunciando aut promulgando, ^ueasdemve executioni mandando, dispensationes quascunque; aut gratias in præmissis concedendo et faciendo, et generaliter in aliquibus prædictorum potestatem nostram vel ordinariam vel absolutam exercendo, ut præfertur, actum, gestum, decretum, dispensatum, pronunciatum, mandatum, aut executum fuerit, id omne et totum, cum primum poterimus, ratum, gratum et firmum habentes, in validissima et efficacissima forma confirmabimur, nec eorum aliqua unquam infirmabimus aut infringemus, aut eorum alicui contraveniemus, nec interim revocabimus; declarantes etiam et protestantes per præsentem, nostræ intentionis esse, ut præsens commissio, sive delegatio autoritatis nostræ, perpetuo effectu gaudeat, et usq; ad finalem

^p autoritatem ^q quacunq; ^r pronuntiando ^s poterunt,
^t judiciariam et summariam, ^u easdemve

prædictorum conclusionem extremumq; terminum duret et consistat, non obstantibus quibuscunque decretis, sententiis, mandatis rescriptis, literis aut brevibus in contrarium, deinceps per nos tanquam irritatoriis, derogatoriis aut revocatoriis præsentis concessionis nostræ, emittendis, destinandis aut promulgandis; quibus omnibus expresse per præsentis derogantes, et illa omnia pro nullis, cassis, irritis et inanibus reputantes, ac talia esse et haberi, istisq; omnino anteriora judicari, præsentia vero semper posteriora, et post illa repetita, emissa et destinata censi, ac tanquam ultima et posteriora contrariis sic deinceps emittendis derogare debere, et cæteris contrariis non obstantibus quibuscunque.

XI.

Rome Jan. 1528.

The cardinal's letter to John Cassali about it; taken from a duplicate written by his secretary.

REVERENDE domine ^aprothonotari, tanquam frater amatissime, cum aliis meis literis copiose ad vos perscripsi regie majestatis animum, et desiderium super his rebus quas vobis in præsentia commisit, suo nomine ^bSmo. D. N. declarandas.

Cotton lib.
Vitell. b.
10. fol. 47.

Nunc vero ob humillimam sinceramq; meam devotionem, ^cqua ex jure et officio non solum ejus sanctitati, sed miseri ecclesiæ sublevandis rebus, dignitatiq; apostolicæ restituendæ adstringor, his literis vos instruam super quibusdam rebus, præcipue et accurate notandis et considerandis, quas post humillimam, reverentissimamq; meam commendationem dictæ sanctitati, meo nomine sigillatim, speciatim declarabitis; et cum causam concernant, quam regia majestas nunc maxime optat et requirit, eandem sanctitatem vehementissime rogabitis, ut cuncta legere et bene notare non gravetur.

Primo itaq; indolens infelicem adversumq; præsentium rerum successum, in quo S. D. N. cardinaliumq; collegium versatur, diuq; ac noctu mente volvens, quo pacto quibusve

^a protonotari,

^b S.

^c quæ

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modis, totis meis viribus, omni sumptu molestiaq; neglecta, et cum proprii sanguinis vitæque effusione, ministerium aliquod impendere, tantæque afflictioni solamen afferre, et ecclesiæ ^dsanctissimiq; domini nostri collapsio statui opitulari, in quam rem haud dubie quoadq; vita suppetet incumbam: mihiq; in hac cogitatione versanti, in mentem recordationemq; subiit, mirus quidem et grandis affectus. Qui divina sic disponente Providentia, ex instanti assiduaque mea opera provenit, ut hunc optimum dominum meum regem inducerem, eique persuaderem quod ad arctissimam istam intimamque cordis et animi conjunctionem deveniret erga S. D. N. ecclesiæq; et sedis apostolicæ tutelam ac patrocinium suscipiendum, memoriæque succurrunt innumeræ rationes à me adductæ, ut regiam majestatem, quæ Cæsari tenacissime inhærebat, adducerem ad ^eSmi. D. N. defensionem, rerumq; Italicarum tutelam amplectendam, ac inter omnes allegatas rationes, nulla fuit validior aut vehementior, vel quæ regiæ majestatis pectus magis permoveret, quam intima securitas, perfectaue constantia, quam ei assidue indesinenterq; insinuavi de ejus sanctitatis vera optimaq; et flagranti correspondentia in amore perpetuo indissolubiliq; amicitia, animo et voluntate, petitionibus semper suæ R. majest. et desideriis concedendis, quoad ecclesiæ thesaurus et autoritas ejus sanctitati Christi vicario concessa permittit, vel quoad se extendit, seu ^fposset. extendere; super idq; omnia uberrime promisi, meam etiam salutem, fidem, honorem, animamque adstringens, quod omnia ex ipsius regiæ majestatis votis, in omne tempus præstarentur, absq; ulla prorsus occasione aut scrupulo, ab hujusmodi indulgendis petitionibus digrediendi, adeo quod regia majestas, ex hoc meo asseveranti relatu, hunc propensum S. D. N. in se animum perspicuens, mihiq; ejus sanctitatis nomine, veluti legato, et sedis apostolicæ membro loquenti, firmam, certamq; fidem adhibens, periculis omnibus posthabitis, laboribus sumptibusq; spretis, nullaq; sui regni aut subditorum habita ratione, animum adfixit, prorsusq; statutum et decretum in omnibus se adjungere, atque perpetuo et constanter cum S. D. N. in affectu con-

^d sanctissimi^e S.^f possit

currere, in eoq; certum habeo velle decrevisseque perstare, ad mortem usque, nisi forsan ex eventibus, longe diversis à meo promisso et ejus expectatione, occasio subministretur suam regiam majestatem ab hoc animi sui decreto amovendi. Id si illi accideret (quod avertat Deus) merito mihi posset adscribere perfidiam, levitatem, violationemque promissionis, quo casu quid mox officii aut ministerii possem sanctissimo domino nostro præstare, aut quæ fides in ecclesiæ rebus mihi haberetur, singulari ejus sanctitatis prudentiæ judicandum relinquo : nunquam enim meo in arbitrio posthac esset, quicquam alicujus momenti hinc efficere, in ejus sanctitatis commodum, hac nunc in re regiæ majestatis concepta spe, aut expectatione frustrata.

Est secundo accurate considerandum quantopere hoc negotium regiæ majestati intersit, et quanti sit momenti, unde namque, præter conscientiæ regiæ exonerationem, omnis quoque regiæ lineæ, et stemmatis continuatio pendet ; huic adnectitur totius regni foelicitas, vel excidium, hic securitas et salus eorum consistit, qui sub regis sunt imperio, et qui ullo unquam tempore nascentur in ejus regno, qua ex re oriri potest occasio, et fomes tranquillitatis perpetuæ, aut discordiæ belliq; atrocissimi in universum Christianum orbem, quæ omnia majoris sunt momenti et vigilantius prospicienda quam cujusq; principis vel principissæ gratia, favor et expetatio.

Tertio, Causa ex se est hujusmodi ut in animam meam spondere aksam, ejus concessionem, futuram non solum in conscientiæ, honorisq; pontificis exonerationem coram Deo et hominibus, sed in cœlis quoq; gratam, acceptamque exituram : In hac deinde re secreta insunt nonnulla, secreto S. D. N. exponenda, et non credenda literis, quas ob causas, morbosq; nonnullos, quibus absq; remedio regina laborat, et ob animi etiam conceptum scrupulum, regia majestas nec potest, nec vult ullo unquam posthac tempore, ea uti, vel ut uxorem admittere, quodcunque s evenerit. Non exigua præterea ^h est habenda ratio eorum, quæ aliis meis literis continentur, concernentia, quæ pro ingenti thesauro S. D. N.

^s advenerit.^h habenda est

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habere queat, tam certam regię majestatis amicitiam, cum ejus sanctitate constantissime conjunctam futuram in prosperis et adversis, in quas etiam partes amicos omnes suos pertraxit, et assidue pertrahit: Ad ecclesię defensionem, sanctissimi domini nostri conservationem, causas omnes suas et actiones dirigens; possentq; hi omnes, regia majestate deficiente, in contrarium verti, et, ut vera loquar, nullum principem video in quo S. D. N. possit, quam in regia majestate plenius aut perfectius confidere, vel cujus medio apostolicę sedis status in pristinam suam dignitatem queat certius restitui, cum absq; ejus subsidio, nisi solus Deus ex immensa sua bonitate manum citissime apponat, omnino imminutus iri videatur. Quod si sanctissimus dominus noster nunc (quod absit) in his regiis petitionibus durum se, aut ^kdifficilem exhibuerit, mihi certe molestissimum est futurum vivere diutius, ob innumera mala, quę inde subsequutura videntur, hoc præsertim firmo, tutoque regio subsidio tam ingrate abjecto; hocq; solum, et certum, et salubre remedium videtur tantę corrigendę calamitati superesse, quo neglecto omnia corruant necesse est. Hac autem in re S. D. N. sua erga regiam majestatem animi gratitudine comprobata, poterit de illius amicitia et conjunctione quęcumque volet sibi polliceri, adversus eos omnes, qui ejus auctoritatem aut dignitatem voluerint oppugnare. Tandem his causis rationibusq; omnibus in unum congestis, mecum ipse reputans, quam multa gravissimi momenti in hujus conjugii dissolutione occurrant, in tanta æquitate justoque fundamento posita, ob quę hæc dissolutio nec possit absq; gravissimo detrimento, nec debeat diutius protrahi aut intermitteri; videns quoq; quid allegari possit et allegabitur omnino ad regię majestatis conscientiam coram Deo purgandam, etiamsi id à S. D. N. neutiquam admittatur, quę in hujusmodi allegationibus confisa, vereor ne in tanta rerum extremitate constituta, potius quam ingentia mala, quę hinc apertissime imminet, succedant, dicta regia majestas ex duobus malis minus malum eligat, et soli suę puręq; conscientię innitens, id agat, quod nunc tam reve-

ⁱ suos omnes^k difficilem se exhibuerit,

reuter à sedis apostolicæ autoritate exigit, unde sedis contemptus indies gravior excresceret, hoc præsertim tempore admodum periculoso: quæ omnia sunt à S. D. N. summa sua prudentia alte considerata, nullo prorsus dubio aut difficultate in re tam gravi mature concedenda interjecta; nec eam retardare debet cujusquam mortalis instantia, contemplatio, vel satisfactio, præsertim quum in multis aliis rebus, forsitan non tam manifestis et apparentibus, sanctitas sua liberalem, facilemque erga alios se sæpe præstiterit; cui humillima reverentia præmissa meo nomine dicetis, quod hæc loquor tanquam fidele, utcunq; l'indignum ecclesiæ membrum, omnia excogitans quæ possent in ecclesiæ augmentum et existimationem cedere, ea etiam ^madmonens et consulens ut evitentur, quæ cessura videantur in contrarium. Quocirca sanctissimo domino nostro affirmabitis, quod præmissis omnibus tam maximi momenti existentibus probe consideratis, non veluti mediator aut intercessor, ob privatum illum affectum quem regiæ majestatis causis, ut mei juris est, promovendis gero, sed tanquam is qui in re tanta et ex tam certa scientia et cognitione, velim sanctissimo domino nostro suadere, ut quod nunc petitur omnino concedat, idq; suaderem etiam si in hoc regnum nunquam venissem, neq; hic commune quicquam haberem; rogoque, precor, et obtestor ejus sanctitatem, ut omni dubio, respectu, metuq; deposito, nullo pacto neget aut differat ea concedere aut adnuere, quæ regia majestas urgentissimas ob causas tanta nunc animi sollicitudine exposcit; sed his potius benignius liberaliterq; adnuat, et omnia concedere non gravetur in pleniorum modum qui hujus rei gratia possit excogitari, compertissimumq; sibi sua sanctitas habeat, sed id ⁿeffecturam, quod coram Deo et hominibus justum omnino habebitur, arctissimeq; regiam majestatem devinciet ad suæ sanctitatis, ecclesiæ apostolicæq; sedis, ^ocausas omnes pro viribus juvandas protegendasque, nec ea in re, ulli labori, sumptui, regno vel subditis parcet, nec (si opus fuerit) propriam personam exponere recusabit, in ea opinione constan-

^l ecclesiæ indignum^m admonensⁿ effecturam^o causasq;

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tissime permansura, in eandemq; sententiam Gallorum regem et alios confœderatos attrahet, tum pro suæ sanctitatis et cardinalium liberatione, tum pro sedis apostolicæ autoritatis et dignitatis restitutione; et præterquam quum dicta sanctitas mei humillimæ suæ creaturæ fidem et existimationem conservabit, quo in omnem eventum et necessitatem ea possim hic facilius commodiusq; tractare quæ in ecclesiæ commodum, beneficium et securitatem cessura videbuntur, in quæ officia omnem meam industriam, zelum, studiumq; adhibebo, hunc quoq; serenissimum regem in perpetuum sibi lucrifaciet. Quod si harum rerum rationem non habuerit, vereor ne sit futurum in mea potestate, ut ullo modo hanc regiam majestatem vel alium ullum principem ad ea adducam, quæ sanctissimo domino nostro solatio aut subsidio esse possunt. Sed confido ab ipsius sanctitate tantam malorum occasionem sublatam iri, gratissimo, benignissimo, liberrimoq; animo, omnia ut petuntur concessuram esse, nullo objecto, impedimento, contradictione, aut mora.

XII.

Rome Jan. 20. 1528.

Staphileus's letter to the cardinal, that shews how much he was persuaded of the justice of the king's cause. The original.

Cotton lib.
Vitell. b.
10. fol. 42.

REVERENDISSIME et illustrissime domine D. mihi colendissime, post humillimam commendationem D. V. reverend. dignabitur intelligere qualiter quintadecima die post recessum nostrum à Londino conscendimus navem, retenti interim in portu ob tempestatem maris et contrarios ventos: interim in itinere fui cum reverendo domino Roffen. et disputavimus materiam multum, copiose, et satis prolixè, in præsentia domini doctoris Marmeduci, qui intellexit omnia ex utraq; parte ab utroque dicta et sæpius replicata; penes quem autem steterit victoria, vel saltem, uter nostrum validius certaverit, D. V. reverend. percipiet ex fideli relatione

præfati D. Marmeduci. Unum certifico D. V. reverend. quod pro uno mediocri episcopatu desiderassem quod huic nostræ disputationi interfuisset serenissimus rex noster et D. V. ^areverend. pro intelligentia veritatis et pro modo disputandi: ^bceterum commendo humiliter D. V. reverend. istum bonum virum, bonum servitorem ac diligentem serenissimæ regis majestatis et D. V. reverendiss. Quibus me quoq; humillimum ac ex toto devotissimum eorum servum quam humillime possum, ex toto corde meo semper commendo, præstiturus utriq; fideliss. et amantiss. obsequium in rebus et negotiis mihi commissis et committendis. Bene valeat D. V. reverend. quæ dignabitur tenere me semper in bona gratia sereniss. regis nostri, qui est decus et ornamentum regis dignitatis. Ex Bononia ^cxx. Jan. 1528.

D. V. reverendiss.

Humillimus servitor, episcopus
Staphileus.

XIII.

Ad Campegium, 1528.

The cardinal's letter to Campegius, taken from the draught of it; corrected with his own hand.

REVERENDISSIME in Christo pater, grata semper huic regis majestati extiterunt vestræ reverend. dominat. officia, ^{Cotton lib. Vitell. b. 10. fol. 43.} sed gratissimum omnium illud fuit, quod tanta fide et sedulitate in ipsius promovenda causa ab ea fuisse præstitum ex reverendi domini Jerdonen. sermone cognovit: quam optimi amoris significationem toto pectore amplexatur, jussitq; ut suis nominibus ingentes vestræ reverendissimæ D. gratias haberemus: cui ego eo quoq; nomine maxime quoq; me debere fateor, nulla enim in re magis obnoxium me sibi potest efficere, quam si totis suis viribus, omni gratia et autoritate adnitatur, quo negotium hoc ex regis majestatis sententia quam citissime conficiatur; hujusmodi enim est ut

^a et regina

^b etenim

^c 20

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nullum gravius possit accidere, dilationem nullam patitur, utpote quod totius hujus regni conservationem, regiæ sobolis continuationem, et ejus animi salutem in se contineat : causa quidem manifestior est quam disputatione egeat, et sanctior quam debeat in controversiam adduci, hanc unam gratiam et nunc ^aprimo à sede apostolica votis omnibus petit, et eam tum ex rei justitia, tum ex sua in S. D. N. filiali devotione, spem concepit, ut nullo pacto sibi persuadeat unquam fieri posse ut sua expectatione frustretur, quam sit vestræ R. D. opera ^bac patrocínio maxime posse juvari.

Iterum igitur atq; iterum reverendissimam D. vestram obsecro, ut postquam recenti et claro hoc testimonio purgavit quicquid antea in regiam majestatem fide ^csinister fuerat ad nos delatum, et nostrum animum sibi totum devinxit, non gravetur nunc strenue in hoc regio promovendo negotio ad optatum usq; finem perseverare, quod ita cor nostrum premit, ut vel proprio sanguine id vellemus posse à S. D. N. impetrare. Cætera, vestra reverendissima D. uberius ac distinctius cognoscet ex reverendo domino episcopo Jerdonensi, et ex domino Stephano Gardinero intimo meo servo, et domino Edwardo Foxo regio familiari, quibus rogo ut certissimam in omnibus fidem velit habere. Et fœlicissime valeat.

XIV.

Maij 7. 1528.

The cardinal's letter to G. Cassali, desiring a decretal bull to be sent over. A duplicate.

Cotton lib.
Vitell. b.
10. fol. 88.

MAGNIFICE domine Gregori, &c. Ingentem serenissima regia majestas et ego lætitiâ concepimus, quum tum ex domini Stephani literis, tum vero ex domini Foxi relatu cognovimus, quanta fide, industria, ac vigilantia usi sitis in ejusdem regiæ majestatis conficiendo negotio, quem vestrum animum, etsi sæpe antea arduis in rebus exploratissimum certissimumq; haberemus, hoc tamen tam claro testimonio

^a primum ^b ac pio patrocínio ^c sinistre fuerit

*nunc esse comprobatum mirifice letamur, nihil ^benim à vobis omissum perspicimus, quod votum nostrum utcunq; juvare potuisset. Cæterum quum nonnulla adhuc meo aliorumq; doctiss. virorum judicio superesse videantur, ad regię majestatis causam securissime stabiliendam finiendamque de quibus ad D. Stephanum in præsentia perscribo; vos iterum atq; iterum rogo, ut de illis impetrandis apud S. D. N. una cum domīno Stephano vestram gratiam et auctoritatem, quam apud ejus sanctitatem maximam esse et audio et gaudeo, pro viribus interponatis, maxime autem ut in commissione illa decretali à S. D. N. nullis arbitris seu consultoribus admissis concedenda, et secreto ad me mit-tenda, omnes vires ingenii, prudentiæ, diligentięq; vestræ adhibeatis, affirmabitisq; et in salutem animamq; meam eidem S. D. N. spondebitis, quod dictam bullam secretissime nullis mortalium oculis conspiciendam apud me asservabo, tanta fide et cautione, ut ne minimum quidem ex ea re periculum, vel periculi metum ejus sanctitas sit sensura; non enim eo consilio aut animo eam commissionem impetrari tam vehementer cupio, ut vel illius vigore ullus processus aut aliud præterea quicquid ageretur, vel eadem publice privatimve legere illa ulli exhiberetur, sed ut hac quasi arrha et pignore summæ paternæq; S. D. N. erga regiam majestatem benevolentię apud me deposito, quum videat nihil illi ^cdenegaturum quod ^dpetierit, perspiciatq; tantum fidei ejus sanctitatem in me reposuisse, sic mea apud dictam majestatem augeatur auctoritas, ut quanquam vires omnes suas opesq; apostolicę sedis conservationi et in pristinum statum reparationi sic sponte dicaverit, me tamen suasore et consultore omnia in posterum, et in sanguinis ^eeffusione sit concessura et effectura, quę in ejusdem sedis et suę beatitudinis securitatem, tranquillitatem et commodum, quaquam ratione cedere poterunt.

* nunc esse comprobatum mirifice letamur, *om.*^b enim *om.*^c degeneraturum^d petiverit,^e effusionem

The brieve of pope Julius for the king's marriage ; suspected to be forged.

Cotton lib.
Vitell.
b. 12.

JULIUS papa secundus. Dilecte fili et dilecta in Christo filia, salutem et apostolicam benedictionem. Romani pontificis præcellens autoritas concessa sibi desuper utitur potestate, prout (personarum, negotiorum et temporum qualitate pensata) id in domino conspicit expedire. Oblatæ nobis nuper pro parte vestra petitionis series continebat, quod cum alias tu filia Catharina, et tunc in humanis agens quondam Arthurus carissimi in Christo filii nostri Henrici Angliæ regis illustrissimus primogenitus, pro conservandis pacis et amicitiae nexibus et foederibus inter præfatum Angliæ regem, et carissimum in Christo filium nostrum Ferdinandum regem, et carissimam in Christo filiam nostram Elizabeth. reginam catholicos Hispaniarum et Siciliæ, matrimonium per verba legitime de præsentì contraxeritis, *illudq; carnali copula consummaveritis*, quia tamen dominus Arthurus prole ex hujusmodi matrimonio non suscepta, decessit, et hujusmodi vinculum pacis et connexitatis inter præfatos reges et reginam ita firmiter verisimiliter non perduraret, nisi etiam illud alio affinitatis vinculo confoveretur et confirmaretur, ex his et certis aliis causis, desideratis matrimonium inter vos per verba legitime de præsentì contrahere : sed quia desiderium vestrum in præmissis adimplere non potestis, dispensatione apostolica desuper non obtenta, nobis propterea humiliter supplicari fecistis, ut vobis providere in præmissis de dispensationis gratia et benignitate apostolica dignaremur. Nos igitur qui inter singulos Christi fideles, præsertim catholicos reges et principes, pacis et concordie amœnitatem vigere intensis desideriis affectamus, his et aliis causis animum nostrum moventibus, hujusmodi supplicationibus inclinati, vobiscum, ut aliquo impedimento affinitatis hujusmodi ex præmissis proveniente non obstante,

[* This document is not at present to be found in MS. Vit. b. 12.]

matrimonium inter vos contrahere, et in eo postquam contractum fuerit, remanere libere et licite valeatis, autoritate apostolica per præsentes dispensamus; et quatenus forsam jam matrimonium inter vos de facto publice vel clandestine contraxeritis, ac carnali copula consummaveritis, vos et quemlibet vestrum ab excessu hujusmodi, ac excommunicationis sententia quam propterea incurristis, eadem autoritate absolvimus, ac etiam vobiscum ut in hujusmodi matrimonio sic de facto contracto remanere, seu illud de novo contrahere, inter vos libere et licite valeatis, similiter dispensamus, prolem ex hujusmodi matrimonio sive contracto sive contrahendo suscipiendam legitimam decernendo. Volumus autem, si hujusmodi matrimonium de facto contraxistis, confessor, per vos et quemlibet vestrum eligendus, poenitentiam, quam adimplere teneamini, propterea vobis injungat. Dat. Romæ apud Sanctum Petrum sub annulo Piscatoris, die 26. Decemb. millesimo quingentesimo tertio, pont. nostri anno primo.

Sigismundus.

XVI.

A part of the cardinal's letter to G. Cassali, desiring leave to shew the decretal bull to some of the king's council. A duplicate.

ILLUD igitur video maxime necessarium superesse, ut decretalis bulla, quam reverendissimus dominus legatus secum defert, secreto legenda exhibeatur nonnullis ex regis consultoribus, eo quidem consilio, non ut in iudicium proferatur, vel ad causam definiendam adhibeatur, sed solum ut perspicientes illi, quorum prudentia et autoritas non parva est, nihil à me fuisse omissum, quod causam regis possit securissimam reddere, omniaque fuisse à S. D. N. concessa, quæ in causæ firmamentum ullo pacto queant excogitari facilius, ubi regis majestatis securitati, regni quieti, et perpetuo totius rei stabilimento undiq; consultum viderint, in sententiam nostram deveniant, summaq; cum diligentia in autoritate apostolica ad Dei gloriam conjuncta rectissime absolvantur. Proinde, domine Gregori, iterum atq;

Cotton lib.
Vitell.
b. 10.
fol. 192.

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iterum vos impense rogo, quod ad S. D. N. genua devoluti ejus beatitudinem meo nomine obsecretis, ut hoc reliquum meæ fidei meæq; dexteritati de bulla decretali ostendenda committere velit, quam rem sic moderabor, ut nullum prorsus periculum, nullum damnum, nullum odium queat unquam sibi, vel sedi apostolicæ provenire; hocq; tam instantanter precor, ut pro salute mea conservanda petere queam ardentius nihil.

XVII.

John Cassali's letter about a conference he had with the pope. An original.

Reverendissime ac illustrissime domine D. mi colendissime! &c.

Cotton lib.
Vitell.
b. 10.
fol. 164.

QUUM tabellarius D. vestræ reverendissimæ cum ejus mandatis literisq; die 2. Novemb. datis Bononiam ad equitem fratrem pervenisset, neq; ipse tunc posset præ debilitate properatis itineribus Romam venire, ne ad eam rem longioris temporis moram interponeret, misit per dispositos equos D. ^aVicennium Casalium fratrem nostrum patruelem, volens ipsum statum subsequi; venit igitur D. ^bVicennius Casalius. At ego vestræ dominationis reverendissimæ literis lectis ac perpensis, S. D. N. adivi, et ea quæ D. V. reverendissima scripserat, diligenter ejus sanctitati exposui, ipseque etiam literas recitavi, quæ prudentissime et efficacissime omnia explicabant. Atq; hujusmodi verbis sum loquutus.

Non locus hic nec tempus postulat, beatissime pater, ut ego nunc commemorem, quanto amore, quanto animi affectu, quibusq; officiis illa regia majestas apostolicam sedem sanctitatemq; vestram sit ubiq; omni tempore prosecuta, quantaq; observantia et fide reverendissimus dominus Eboracen. semper coluerit; nec recensendum hic videtur, quot labores, quot incommoda subiverint, quæ officia, quas multoties impensas effecerint, quærentes ecclesiasticum statum,

^a Vincentium Cassalium

^b Vincentius Cassalius.

Christianam religionem, et catholicam fidem protegere ac conservare: nec vestra sanctitas ignorare debet, quibus laboribus, quantis precibus, quot tabellariis, quot oratoribus missis, quot non dicam literis, sed voluminibus conscriptis, post multa insuper jurisperitorum consilia, tum ex Anglia allata, tum hic etiam formata, fuerit tandem à vestra sanctitate impetratum, ut res eo, quo fuit pacto, componeretur: qua ratione regis majestatis desiderio indulgebatur, et beatitudinis vestræ honori ac conscientiæ, justitiæq; et equitati consulabatur. At nunc sanctitas vestra animadvertit illos, præter omnium nostrum spem et opinionem, omni auxilio penitus esse destitutos: reverendiss. Campegius non modo non ostendit, se adeo urgentibus precibus serenissimi regis obtemperare velle; sed ut primum ad colloquium venit, rem totam pervertit, regiam majestatem à divortio dissuasit, perinde ac si ei legatio demandata fuerit, ut serenissimo regi ex parte reginæ persuadere debeat, ut se à divortio abstineat, adeo ut non possit regia majestas stimulum hunc conscientiæ ex suo pectore evellere, semperq; in ea mentis perturbatione illi sit permanendum, ut omnibus horis cogitet successorem sui regni ex suo sanguine defuturum. Neq; adhuc reverendissimus Campegius ullam significationem dedit, velle se ad id exequendum descendere, quod priore illa generali commissione continetur; verum, quod pejus etiam est, quum multis precibus bulla decretalis in hac causa regia impetrata fuerit, promiseritq; vestra sanctitas se permissurum ut serenissimo regi ac reverend. D. Eboracen. ostenderetur, et eorum manibus crederetur, quam ipsi aliquibus ex secretissimis consiliariis ostenderent, ut serenissimus rex de totius negotii æquitate instructior fieret, noluit reverendissimus Campegius eam credere serenissimo regi, aut reverendissimo domino Eboracen. suo in ea causa collegæ. Cur autem velit vestra sanctitas regiam majestatem in eam spem adduxisse, ut deinde hoc pacto illam frustretur ac deludat. Tunc S. D. N. injecta in meum brachium manu, me ulterius loqui prohibuit, se ira accensum non abscondens, dixit, non parum sibi de D. V. reverendissima conquerendum esse, atq; sub ejus fide se deceptum esse; bul-

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lam decretalem dedisse, ut tantum regi ostenderetur, cremareturq; statim : ad hoc me (inquit) multis ille magnisq; precibus protraxit, ostendens, si id non daretur, manifestum suæ salutis ruinam impendere; nunc autem eam bullam, quæ debuit esse secretissima, vult divulgare, neq; unquam se promississe concessurum ut consiliariis ostendatur : literas (inquit) ipsas reverendissimi Eboracen. proferre possum, quibus id tantum, quod dixi, petit, et ipsum equitem Cassalium testem volo, quod dominus Stephanus Gardinerus et ipse nihil aliud à me postulaverunt, nec si postulassent, quioquam amplius obtinuissent; atq; utinam aliter rem petissent, eam namq; facile denegassem, nec ad hanc pœnitentiam venissem, ex qua vel unius digiti jactura (modo fieri possit) quod factum fuit revocarem, video enim quantum mali ex eo mihi subeundum sit. Quum S. D. N. hæc et similia contra suum morem dixisset, ego in eam sententiam subsecutus, sciendum esse, quod D. V. reverendissima petit, non esse ab eo, quod ejus sanctitas constitutum fuisse dicit alienum, nec D. V. reverendissima hanc rem divulgari velle, aut secundum eam bullam sententiam ferri; cæterum regiæ majestati et sibi tradi, ut possent aliquibus fidelioribus carioribusq; consiliariis ostendere, ut ipsi de re tota fiant instructiores, quod perinde arcanum erit, ac si in nullius notitiam devenisset. At non (inquam) sanctitas vestra plerosq; habet quibus quum aliquid arcanum crediderit, putet id non minus celatum esse, quam si uno tantum pectore contineretur, quod multo magis serenissimo Angliæ regi evenire debet cui singuli in suo regno sunt subjecti, neq; etiamsi velint, possunt regi non esse fidelissimi: væ namq; illis si vel parvo momento ab illius voluntate recederent. Quid hoc præterea obesse potest? an non sic petatum, sic constitutum fuit? quæ ratio sanctitatem vestram propositum mutare cogit? Ibi pontifex iracundus, et concitator etiam quam paulò ante; Haud (inquit) ita fuit constitutum, nec me latet, quid de ea bulla facere cogitent, et cujusmodi ex eo mihi damnum redundaturum sit; firmum igitur illud habeatis, me decrevisse, neq; sen-

* Cassalium

tentiam muto, nolle quicquam amplius hac in re permittere. At ego, nolit (quæso) vestra sanctitas sic ex certa animi sententia loqui, ac potius in his literis reverendissimi domini Eboracen. consideret damna, ruinas, hæreses, quæ vestræ sanctitatis culpa in illo regno orirentur: regia enim majestas, male à vestra beatitudine tractata, injuria, et ignominia affecta, studium et voluntatem, quam semper optimam in sedem apostolicam habuit, in contrariam partem convertere posset, hoc est dominationi vestræ toto pectore considerandum: esto quod de hujus negotii æquitate disceptatum non sit, concedamus etiam hanc rem malam, et mali exempli futuram (quod quidem secus esse judicaverunt omnes) an non vestra sanctitas novit pleraq; quæ non bona sunt, præferri nonnunquam à nobis solere, ne pejora patiamur; atq; hoc tum aliis in rebus, tum imprimis hæresium evitandarum causa providendum est, quas videmus, quum semel altiores radices egerint, non posse amplius extirpari: atq; ibi ad illius pedes genibus flexis, eam precibus omnibus sum obtestatus, ut amicitiam potentissimi regis conservare, observantiam dominationis vestræ reverendissimæ erga ejus sanctitatem, nostramq; servitutem respicere vellet; relicta namq; regis majestatis amicitia, religionis imminutio subsequeretur, et regni illius à tam antiqua cum sede apostolica conjunctione dissolutio, ac dominationis vestræ reverendissimæ gratia et autoritas apud sereniss. regem non suo merito deficeret, ejusq; fortasse salus periclitaretur; nos autem qui semper beatitudini vestræ inservivimus, pro qua tot bonis officiis functi sumus, et tantum operæ perfecimus, ad integram amicitiam inter regiam majestatem et vestram sanctitatem conservandam, in medio nostrarum actionum, regni illius damna et calamitatem, nostramq; certissimam ruinam conspiceremus. Ad hæc S. D. N. et brachiorum et totius corporis agitatione, animum commotum ostendens, Volo (inquit) ego ruinam, quæ mihi modo immineat, considerare, et id ipsum quod feci valde me angit; si hæreses, vel alia mala oritura sunt, quænam in eo mea culpa erit? satis meæ conscientiæ fuerit me vacasse culpa, cui essem obnoxius, si hoc etiam quod nunc

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ex me petitur concederem: nec reverendissimus dominus Eboracensis, nec vos ullam causam de me conquerendi habetis, quicquid nunc pollicitus sum præstiti, neq; aliud unquam, etsi mihi faciendi esset facultas regia majestas et reverendissimus dominus Eboracen. à me petierunt, quod non promptissime concesserim, ut quisq; facile intelligat, quanti eas semper fecerim; ad aliqua etiam vestri causa faciliorem me præbui. Cæterum ubi vertitur meæ conscientiæ integritas, omnia posthabenda censeo, agant per se ipsi quod volunt, legatum remittant eo prætextu, quod in causam ulterius procedi nolint, et deinceps ut ipsi volent remificent, modo ne me autore injuste quicquam agatur. ^dTum ego, Nonne vestra sanctitas vult, ut ex vigore commissionis procedatur? quod quum velle affirmasset, dixi, igitur reverendissimus Campegius sanctitatis vestræ voluntati adversatur, divortium enim regi dissuasit; At pontifex ego (inquit) illi imposui, ut divortium regi dissuaderet, persuaderet reginæ; quod autem ad commissionem pertinet, si requiratur, exequetur. Sumus ergo (inquam) concordēs, beatissime pater, quod quum ita sit, quid nocere poterit decretalem bullam aliquibus secretissimis ac juramento adactis consiliariis ostendisse? tum quassans caput, Scio (inquit) quid de ea re facere constituent, verum nondum Campegii literas ex Anglia legi, quapropter die crastino ad me redibitis. Hoc pacto S. D. N. primo die me dimisit. Adfuit his sermonibus dominus Vincentius ^eCasalius, quem ^fab equite fratre huc missum dixi, qui equitem ipsum excusavit, quod quamvis ille animadverteret negotium hoc tanti momenti esse, ut etiam cum vitæ discrimine Romam per dispositos equos sibi properandum esse videret, nihilominus superse-
disse videns quod si id fecisset necesse sibi futurum domi, et in lectulo, permanere potius, quam de re tanta coram ejus sanctitate agere. Atq; interim dominus Vincentius multas rationes ad persuadendum, equitis Cassalii nomine adhibuit, quas eodem pacto ejus sanctitas in sequentem diem rejecit.

Postridie ejus diei signatura habita est, cui ego tanquam

^d Tunc^e Cassalius,^f ob equitem fratrem

referendarius interfui, in vesperumq; est protracta, nec judicavi opportunum pontificem signaturæ munere defessum aggredi, quum præsertim ejus sanctitas diceret se nondum Campegii literas perlegisse. Res igitur iterum in diem proximum rejecta fuit, quo postea horam commodam nactus, pontificem adivi, quumque omnium capitum, quæ D. V. reverendissimæ literis continebantur, quasi summam effecissem, ne quicquam per oblivionem præterirem, ab ea primum parte ceppi, in qua dicitur suam sanctitatem concessisse commissionem generalem in amplissimam formam, et promisisse ferendam sententiam, se ratificaturum. Pontifex hoc verum esse affirmavit, dicens se contentum esse, ut ad sententiam procedatur; qua vero parte est, ejus sanctitatem bullam decretalem concessisse, ut secretiores regiæ majestatis consiliarios instrueret, id à veritate longe remotum dixit, posseq; ad id se literas D. V. reverendissimæ ostendere: atq; ea repetivit, quæ priore die super hoc dixerat, viz. dominum Stephanum Gardinerum et equitem^h Casalium se testes habere, hanc bullam non ea conditione petitam fuisse ut ostenderetur cuiquam, præterquam serenissimo regi et D. V. reverendissimæ, et Campegium nunc ad se scribere tantundem effecisse, quo facto ex conventionem bullam comburi debere, promissurum quoq; se dixit, ut si quæ allegantur, probentur, ad sententiam ferendam procedatur, se id ratum habiturum. Quumque ego quæsissem an vellet, quæ fierent per eam bullam comprobare, minime id oportere dixit; negavit quoque eam consiliariis ostendendam esse, qui tametsi rem bonam non judicarent, approbarent tamen super ejus sanctitatis conscientiam; ac sæpius interim repetivit, non esse amplius in ea re commorandum. Ad aliam igitur partem deveni, in qua D. V. reverendissima dicit, reverendissimum Campegium divortium inter regem serenissimum et reginam conatum dissuadere: Tum pontifex Campegium scribere dixit, eo se etiam functurum officio, ut reginæ divortium persuaderet, quam ab eo alienam invenerit; modeste tamen eam, ait, locutam fuisse, et consiliarios petiisse qui ex Hispania denegati fuerint, ex Flandria autem concessi. Dixit

^s amplissima forma,^h Casalium

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etiam S. D. N. se literas ad regem, reverendissimo Campegio ex suo chirographo dedisse, ut regia majestas fidem his haberet, quæ reverendissimus Campegius suæ sanctitatis nomine diceret. Ad illam deinde partem deveni, ubi est: Causam regis perinde differt, ac si nolit ad judicium, sententiamque in partem suæ majestatis ferendam descendere, donec S. D. N. certiolem prius effecerit, de his ad hanc causam concernentibus, quæ ibi vidit et audivit. Ad hæc respondit, Campegium quandocunque requisitus fuerit, processurum, neque de supersedendo commissionem habere; se tantum injunxisse, ut quum procedi coeptum esset, se certiolem faceret, ne tamen interim moræ aliquid interponeretur. At ubi est, nullo pacto adduci vult, ut mihi suo collegæ commissionem hanc decretalem credat. Dixit verum id esse, ideo factum ne pluribus palam fieret, eaque conditione qua petatum fuit, ostensam nequicquam amplius expectandum, ea repetens, quæ prius etiam circa hoc dixerat. At ego, videat sanctitas vestra quod ex his verbis, quæ hic scripta sunt loquor, quæ dicunt sanctitatem vestram commissionem decretalem concessisse, ea conditione ut aliquibus regiis consiliariis ostenderetur. Tum pontifex iterum ex-candescens; Ostendam (inquit) literas ipsius reverendissimi Eboracen. nec loquor mendacia, et non minus meis verbis, literisq; prioribus reverendissimi Eboracen. fides est habenda quam his qua nunc affertis. Tum ejus sanctitatem i mitigare quæsi, si minus urgeter mandata exequerer, quoniam k ita à me fieri oportet. Quod ad regni ruinas, damna, calamitates, scandala, et diminutionem religionis, multa in eandem sententiam dixit, in quam primo die locutus fuit; quum diceret, egregium vero decus serenissimo huic regi fuerit, si ipse, qui fidei defensor et sit et appelletur, qui libros etiam pro ejus defensione ediderit, eandem nunc impugnare cogatur; ad hæc quam recte sint venturi, viderint ipsi. Eo autem loco, in quo dicebatur aliquid de regio negotio, inter generalem fratrum de observantia, et ejus sanctitatem convenisse, et eo autore foedus inter ejus sanctitatem et Cæsarianos componendum; dixit, id ostendere,

ⁱ mitigari^k id

quod de regio negotio nihil promiserit, quod quicumq; pollicitus sit, et quin poterit habita ratione suæ conscientiæ, re ipsa præstare velit: in eo autem quod de pace tractanda offertur, dixit, se nullum modum in tali negotio invenire, neq; se adhuc scire, quod iste generalis ullas pacis conditiones sit allaturus; atq; ea insuper addidit, quæ meis literis die 15 Novemb. datis D. V. reverendissimæ significavi.

Aliis deinde diebus S. D. N. sæpissime sum alloquutus, qui decrevit cum reverendissimis De Monte et Sanctorum Quatuor cardinalibus de his rebus omnibus loqui, præterquam de bulla decretali, de qua cum nemine vult ullam fieri mentionem, jussitq; ex omni scriptura ejus memoriam eximi. De reliquis itaq; rebus omnibus loquutus sum cum his duobus cardinalibus qui dixerunt pontificem contentum fore, ut ad sententiam procedatur, tametsi id plerisq; alienum videatur: deque eo nonnulli ex cardinalibus cum obtreptatione loquuntur, et Cæsaris orator, ne procedatur, protestatur, voluntq; fieri in curia causæ advocationem, commissionemq; cum inhibitione ad partes; dicuntq; hi duo reverendissimi, quod quæ postulant illi, justa sunt, nec minimo cuiq; denegari possent, nolle tamen regiæ majestatis causa S. D. N. quicquam ex eo quod factum sit immutare.

Quum alio etiam die pontificem otiosum nactus essem, multa cum ejus sanctitate, de rebus præteritis disserui, deque eo, quod ego ad ejus utilitatem cum Venetis egissem, quoniam scirem serenissimi regis, et D. V. reverendissimæ voluntatem esse, ut quotiescunque occasio daretur, pro suæ sanctitatis commodo omnia fierent: exposui deinde quantopere elaborassem pro negotio Cerviæ et Ravennæ, utque multa Gallici oratores egissent à D. V. reverendissima potissimum instigati; addidi etiam efficacissima verba, quibus usus est dominus Stephanus Gardinerus. Ad omnia S. D. N. respondit, se ea de re regiæ majestati, ac D. V. reverendissimæ gratias habere, et mihi quoque gratias egit; dixitque, non tamen omnes simul tantum efficere potuistis, ut mihi meæ civitates redderentur. Scitis autem conditiones foederis in quo ego

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quoque eram, fuisse, ut quum quis nostrum injuria afficeretur, ab eo cæteri confederati injuriam propulsarent, quod multo magis pro me faciendum erat, quum qui in ipso fœdere essent, mihi injuriarentur; et inde Caesariani volunt mihi persuadere Venetas non fuisse id facturos, si putassent regi Angliæ aut Christianissimo displiciturum: neque interim desistunt, multa, magna; mihi polliceri, unde ego quod alias etiam dixi, id quod affertur, quum aliter facere nequeam, accipere cogar. Illudq; etiam vos scire volo promissum mihi fuisse, si legatus hic in Angliam mitteretur, futurum ut mihi civitates à Venetis restituerentur. Tum ego, non omnia, beatissime pater, adhuc sunt perfecta, rex enim potentissimus omnino operam dabit, ut illæ civitates beatitudini vestræ restituantur: An non, quæ ejus majestas scribit, vestra sanctitas animadvertit? Cui videndum imprimis est, ne de ipsa serenissimo regi sit conquerendum; et ex hac occasione iterum ad regiam causam redii. At ejus sanctitas dixit, se omnia quæ potuisset pro regia majestate et D. V. reverendissima fecisse, facturamq; etiam libenter.

Nonne igitur (inquam) posset ratio aliqua inveniri, qua concederetur eam bullam aliquibus ex secretioribus consiliariis ostendi posse? Tum pontifex, non (inquit) Non potest hoc fieri, nec à me impetrari; quod si ullo modo fieri potuisset, minime tam multas magnasque preces à serenissimo rege, et reverendissimo domino Eboracen. expectassem; quumque quibusdam validis argumentis instarem, prohibuit me ulterius de hujusmodi re loqui. Nolui ego unquam dicere, equitem fratrem brevi esse venturum, ne pontifex rem in illius adventum protraheret, ea tantum de causa, ut moram interponeret.

Omnibus deinde aliis diebus super eodem negotio institi, nunquam tamen pontifex sententiam suam ulla ex parte immutare voluit; tantum illud decrevit, Nuntium mittere velle, qui suam sententiam verbis explicaret: quumq; nulla mihi amplius spes relinqueretur quicquam amplius impetrandi, tum demum dixi, equitem fratrem Romæ futurum

sequenti die, qui quum adeo gravis momenti rem cerneret, noluerit suæ valetudini consulere, et quod is minime putasset, suæ servitutis in ejus sanctitatem merita hoc modo male tractanda fuisse. Gratum sibi dixit pontifex equitis adventum fore, quodque cum ipso et constituerentur omnia, negans se tamen ullo pacto id quod nunc petitur concessurum: Venit itaq; eques frater, qui non secus ac si nunquam quisquam de hac re cum pontifice egisset, singula de integro tractavit, omnibus his modis et rationibus tentatis quæ excogitari ^mpotuerunt. Quæ omnia minutim dominus ^aVicentius Cassalius noster patruelis, quem ad ipsum mittimus, verbis coram ^oexplicabit, egoque ne D. V. reverendissimæ jam nimis molestus sim, de hac ulterius non scribam.

Quod ad Wintoniensem expeditionem spectat, multum hi reverendissimi domini cardinales offendebantur; nunc ab ipsis pecuniarum remissiones postulari, quum deprædata eorum bona sint, ipsiq; propter id ad paupertatem redacti. Quibus ego ostendi, majus emolumentum ad ipsos venturum, si D. V. reverendissima unam ecclesiam acciperet, alteram deponeret, quam si alter tantum Wintoniensis ecclesiæ expeditionem faceret; neque D. V. reverendissimam nimis hanc permutationem optare dixi, quum Wintoniensis non multo ecclesia ^pDubliensi sit ditior. Ad hæc dixerunt, quod libentius D. V. reverendissimæ quam cuiquam alteri erunt gratificaturi, quoniam ipsa de sede apostolica sit semper bene merita, non tamen se vereri, quin D. V. reverendissima Wintoniensem ecclesiam illius regni primariam sit acceptura. Ego quum pontificem, et deinde cardinales eos qui magis rebus nostris student ambissem, effeci, ut pontifex de ea re in consistorio referret, quod ejus sanctitas effecit, multis etiam additis laudibus D. V. reverendissimæ, quibus aliqui cardinales, et maxime Neapolitani, responderunt ea quæ superius dixi. Illud tandem decreverunt, quod quum D. V. reverendissima solvere debeat, pro expeditione Wintoniensis ecclesiæ, et pro retentione ecclesiæ Eboracensis et abbatiæ Sancti Albani, habita ratione totius summæ, ejus

^m poterunt.^a Vincentius^o explicabat,^p Dunelmensi

BOOK pars dimidia V. D. reverendissimæ condonaretur, et ut ad
 II. 13 vel 14 milia aureorum remittant, et non multo plus eo,
 quod pro Wintonien. tum ecclesia deberet solvere. Id re-
 verendissimis cardinalibus ideo displicebat, quoniam nollent
 res hujusmodi in exemplum trahi, quum præsertim magnus
 Franciæ cancellarius, ipse quoque in magna quadam expe-
 ditione, id ipsum in præsentia flagitat, quod isti concedere
 nolunt.

Cætera ex domino ꝑ Vicenno D. V. reverendissima copio-
 sius coram intelligat; quæ bene valeat. Dat. Romæ die 17
 Decemb. 1528.

Humillimus servus

Jo. Cassalius,

Prothonotar.

XVIII.

*The pope's letter to the cardinal, giving credence to Cam-
 pana. An original.*

*Dilecto filio nostro Thomæ Sanctæ Cecilæ presbytero, car-
 dinali Eboracen. in regno Angliæ nostro et sedis de la-
 tere legato.*

Cotton lib.
 Vitell.
 b. 10.
 fol. 163. b.

DILECTE fili noster, salutem et apostolicam benedictionem.
 Existimavimus non tam commode per literas responderi posse
 his, de quibus postremo oratores carissimi in Christo filii
 nostri istius regis nobiscum egerunt; itaq; proprium homi-
 nem Franciscum Campanam familiarem nostrum istuc mit-
 timus, ex quo sua serenitas ac circumspectio tua plenius
 intelligent quæ nobis occurrant, tam de rebus ad pacem et
 publice ad universam Christianitatem spectantibus, quam
 super privatis serenitatis suæ, de quibus nobis per literas et
 oratores vestros significastis, quas quidem summopere cordi
 habemus. Circumspectionem tuam hortamur, ut sibi ac
 serenitati suæ persuadeat nos paternam benevolentiam atq;
 animum gessisse et gerere erga serenitatem suam, ab eodemq;
 amore proficisci omnia quæcunq; illi significamus, ut pluri-

ꝑ Vincentio

bus circumspectionem tuam, quam merito multum amamus, BOOK
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exponet dilect. fil. card. Campegius legatus una tecum nos-
ter, ac dictus Franciscus, quibus plenissimam fidem ^a habebis.
Datum Romæ ^b xv. Decembris MDXXVIII.

J.

Clemens manu propria.

XIX.

Decemb. 1. 1528.

*A part of Peter Vannes his instructions, directing him to
threaten the pope. An original.*

^a THE said M. Peter, as of himself, shall a part say unto Cotton lib.
Vitell.
b. 10.
fol. 157. b.
his holiness; Sir, I being an Italian, cannot but with a
more fervent zeal and mind than ^b another, study and desire
the weal, honour and safety of your holiness and the see
apostolick; which compelleth me to shew unto your holi-
ness, frankly, what I see in this matter. Surely, sir, in case
your holiness continuing this particular respect of fear of
the emperor, do thus delay, protract, and put ^c over the
accomplishment of the king's so instant desire in this matter,
and not impart to his majesty therein bounteously of the
treasure and goods of the church, ^d and see apostolick,
*quantum potestis ex thesauro ecclesiæ et ex plenitudine
potestatis ac autoritate à Deo vel ab ecclesia collata*; I see
assuredly, that it will be a means so to ^c alien the fast and
entire mind which his highness beareth to your said holi-
ness, as not only thereby his grace, nobles, and realm, but
also many other princes his friends and confederates, with
their nobles and realms, shall withdraw their devotion and
obedience from your holiness, and the see apostolick, study-
ing how they may acquit this your ingratitude, in the high-
est cause that can be devised, shewed, and so long conti-
nued with the semblable. And therefore, sir, at the rever-

^a habebitis.^b 15.^a And Peter,^b any other,^c off^d and the see^c alienate

BOOK ence of Almighty God, cast not from you the heart of this
II. noble virtuous prince, who finally cannot fail, the peace
 had, which Christendom may not long forbear, to have in
 his puissance, such a stay as may be able, in the highest
 and largest manner, to recompence his friends, and to acquit
 the contrary.

Henry R.

XX.

The cardinal's letter to the ambassadors about his promotion to the popedom. An original.

Magnifico equiti domino Gregorio ^a Cassalio ac domino Petro Vanni, serenissimi domini Angliæ et Franciæ regis in Rom. curia oratoribus ^b &c.

Cotton lib.
 Vitell.
 b. 10.
 fol. 72. b.

MAGNIFICE domine Gregori et domine Petre salutem. Sicuti incommodissimus totius reipublicæ Christianæ, ac potissimum regiæ majestatis negotiis S. D. N. obitus accidit, ita etiam vos non latere puto quantum periculi et discriminis hujus serenissimi regis saluti et honori, ac regni sui quieti ab hac futuri pontificis electione immineat, et quantopere vobis adnitendum, ac vestro studio, diligentia, industria et prudentia occurrendum et obstandum sit, ne aliquis eligatur pontifex alienus ab hac regia majestate; et quid pro me promovendo facere ac tractare ^cdebetis, cumulate per communes meas literas vos admonui: nec oportet per has quicquid aliud replicare, quas solum ad vos scribere volui, ut significem vobis me totum hoc gravissimum et omnium maximum negotium, de quo acturi estis, vestræ prudentiæ, fidei, et dexteritati, quam longo temporis usu exploratissimam habeo, committere et credere, speroq; vos spei et opinioni meæ de vobis conceptæ omnino responsuros, et bene valete. Londini die ^dvi. Feb. ^eM.D.XXVIII.

Vester amantissimus frater,
 T. Cardin. Eborac.

^a Cassalio ^b &c. om. ^c debeatis, ^d 6 ^e 1528.

XXI.

An information given to the pope about the divorce. An original.

Adnotatio summaria eorum quæ aliis libellis fusius explicata S. D. N. tum licere, tum expedire, ^apersuadeant, ut in causa regice majestatis sententiam divortii ferat.

PRIMUM licet atque etiam expedit dirimere hoc matrimonium, quod juri tum divino tum humano repugnat.

Cotton lib.
Vitell.
b. 11.

Divinum enim jus duci prohibet uxorem fratris, quin hic fol. 117.
fratris uxorem ductam fuisse sit notorium.

Humanum vero jus, duo hujus matrimonii impedimenta continet, alterum affinitatis, quod divino jure inductum severissime sancivit; alterum publicæ honestatis et justitiæ, quod promulgavit Deus: si ex definitione matrimonii, divini, humanique juris commutatio interveniret, quibusnam auspiciis hoc matrimonium constare dicemus, quod utroque jure adversante ac repugnante contractum est, coit, et utcunque consistit?

Sed cessavit, inquit, in hac specie juris utriusque prohibitio per gratiam et dispensationem summi pontificis.

Respondetur quidem istis multis modis. Primo non esse videri, quod nullum est, nullum autem haberi quod sine auctoritate legitima fiat; deniq; pontificis auctoritatem non eatenus pertinere, ut in gradibus divina lege prohibitis dispensare possit: non opinionibus scripturientium, qui pontificis auctoritatem imminutam velint, sed ipsius pontificis sententia constat, quem suæ jurisdictionis modum, et optime novisse et ampliare velle potius quam restringere credendum est; quæ quum ita sint, etiam si humani juris prohibitio per dispensationem sublata videatur, manet nihilominus immotum, quod divinum est, si ipsis contra seipso credimus pontificibus.

Deinde, ut. posse pontifices dispensare fateamur, et in ea parte tribuamus plus auctoritatis quam ipsi sibiipsis audeant

^a persuadeant,

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arrogare, tamen non passim, non quocunque modo, non temere, et sine omni consideratione, posse eos dispensare; atque fatendum est ne suo testimonio dissipatores verius, quam dispensatores appellentur. Itaque ut causam urgentissimam et evidentissimam, tum etiam manifestissimam debet habere dispensatio, precibus denique veris, non ementitis atque confictis inniti.

In dispensatione autem, quo constat hoc matrimonium, verbis quidem pacis causa proponitur, sed non ideo quia sic refertur, re ipsa subsistit, pontificis facta non ad verborum superficiem, sed rei ipsius solidam veritatem expendi convenit.

Certum est, pacem multis modis, tum firmissimam fuisse unoque matrimonio conciliatam, pactorum denique ac fœderum vi constantem, istud necessario matrimonium non desiderasse, et jam dispensationem sine causa intervenisse ^b dicamus, et consequenter nullam esse, manereque adhuc divinam prohibitionem atque adeo et humanam.

Porro etiam, si aliqua sit, et causam haberet, tum mendaciis conflata est, subreptitia et obreptitia merito appellanda, jure tum divino, tum humano reprobata.

Nam quum quod aliqui canonibus cautum sit, ipsius etiam dispensationis ^c prohemium contineat, “Romani pontificis auctoritatem concessa sibi desuper uti potestate, prout personarum, causarum, et temporum qualitate pensata, id in Domino salubriter conspicit expedire; Quomodo potuit S. D. N. hujus serenissimi regis qualitates pensare quas ignoravit? neq; enim de ætate quicquam, quæ in contrahendo hoc matrimonio præcipua qualitas erat, narrabatur, et tamen illum annum eo tempore duodecimum non excessisse notorium est; et tacita ad hunc modum ætate, mendacium pro causa suggestum est manifestissimum; cupiisse viz. tunc serenissimum regem contrahere matrimonium, ad hoc ut pacis fœdera continuarentur: facti veritas est, tum quid ageretur ignorasse, et etiamsi tum scivisset, tamen non fuisse verum quod cuperet, ad hoc ut pacis fœdera continuarentur: ætas ostendit, quæ per communis juris dispositionem

^b dicimus,^c proœmium

discretionem non admittit; cupere quidem affectus est, cæterum cupere contrahere matrimonium, ad hoc ut pacis fœdera continuarentur, judicii est et discretionis. Porro autem, quum de continuandis inter duos principes fœderibus ageretur, alter ante mandatam executioni bullam fatis concessit, et re integra, causa, si quæ fuit, cessavit.

Sed producitur aliud breve tenoris tam efficacis ut istas objectiones non admittat.

Sed manet nihilominus eorum sententia, qui pontificem non posse dispensare affirmant, secundum quos nec breve nec bulla consistit; deinde breve falsum esse, et pro falso judicari ^ddeberi, multis rationibus convincitur; deniq; falsum cum sit, et tamen prioris bullæ errores corrigat, illam opinionem merito confirmet, ne prior dispensatio efficax videatur, vel eorum judicio, qui hoc matrimonium defendere studuerunt, viz. qui veris allegationibus diffisi, ad falsas et confictas dispensationes, vitia objecta removentes confugere coacti sunt.

Ista, si singula minus sufficiant, saltem collata, obtineant et perusadeant licere. Illa vero opinio multis persuasa, pontificem viz. non potuisse dispensare, ut sola infirmet dispensationem, non petitur, sed habet nihilominus aliquid considerationis; quanquam enim refellatur à quibusdam et reprobetur, manet tamen scripta, atq; adeo testimonio ipsius pontificis comprobata. Perpendatur deinde causa et suggestionis veritas, si mendacium intervenisse apparet, et quod est notorium, illam dispensationem adversariorum factis in novi brevis fabricatione tacite reprobari, quis non videt ex his causis licere ut sententia divortii proferatur?

Postremo expedit ut id pronuntietur, quod in omnium sententias consentiat, reprobatio autem dispensationis cum omnibus convenit opinionibus, sive quia autoritas abfuit, sive quia non recte interposita dicatur; approbatio vero cum istis dissentit omnibus,

Expedi ut firma sit et inconcussa regni successio, quæ contra has opiniones confirmari non potest.

^d debere,

BOOK . Expedit ut conscientia serenissimi regis his scrupulis im-
II. pedita, et turbata, expedita et tranquilla reddatur.

Breviter, expedit votis serenissimi regis satisfieri, qui pro genuinis et innatis suis virtutibus, non nisi optima cupit, et modo etiam optimo votorum suorum compotem effici laborat; si non virtutem spectaret, cætera nihil haberent difficultatis, sed omnium virtutum cogitationem quandam esse animadvertens suum justitiæ decorum, quod temperantia est quærit, ut justum, justo modo, obtineat et assequatur. Itaque expedit ne auxilium denegetur, vel differatur ei qui id juste implorat.

XXII.

The second part of a long dispatch of the cardinal's concerning the divorce. An original.

To my loving friends master Stephen Gardiner doctor of both laws; sir Francis Brian, and sir Gregory ^ade Cassali, knights; and Mr. Peter Vannes secretary to the king's highness for the Latin tongue; his graces orators, residents in the court of Rome.

Cotton lib.
 Vitell. b.
 11. fol. 96.
 b.

~~————~~ **ANOTHER** part of your charge consisteth in expedition of the king's great and weighty cause of matrimony, whereupon depend so many high consequences, as for no earthly cause to suffer or tolerate, tract or delay, in what case soever the pope's holiness be of amendment or danger of life; ^bne as is aforesaid, oweth to be by his holiness ^cpre-termitted, whether the same be in the state of recovery, or in any doubt or despair thereof: for one assured and principal fundamental and ground is to be regarded, whereupon the king's highness doth plant and build his acts and cogitations in this behalf, which is from the reasonable favour and justice, being the things from the which the pope's holiness, in *prosperis nec adversis*, may lawfully ^dor ho-

^a de om. ^b nor ^c preteromitted, ^d and

nestly digress; and when the plainness of his cause is well considered, with the manifest presumptions, arguments, and suspicions, both of the insufficiency of the bull, and falsity of the brief, such as may lead any man of reason or intentment, well to perceive, and know, that no sufficiency or assured truth can be therein; How may the pope's holiness, *ex æquo et justo*, refuse or deny to any Christian man, much less to a prince of so high merits, and in a cause whereupon depend so many consequences, to his holiness well known, for a vain respect of any person, or by excuse of any sickness, justifie, colour, or defend any manner refusal, tract, or delay, used in declaration of the truth in so great a matter, which neither for the infinite conveniences that thereby might ensue, admitteth or suffereth to be delayed, nor by other than himself, his act or authority, may lawfully be declared? And well may his holiness know; That to none it appertaineth more to look unto the justness of the king's desire in this behalf, than to his highness his self, whose interest, whose cause, with the same of his realm and succession resteth herein; for if his grace were minded, or would intend to do a thing inique or unjust, there were no need to recur unto the pope's holiness for doing thereof. But because his highness and his council, who best know the whole of this matter, and to whose part it belongeth most profoundly to weigh and ponder every thing concerning the same, be well assured of the truth of the matter, needing none other thing but for observance of his duty towards God and his church, to have the same truth also approbate and declared by him to whom the doing thereof appertaineth; his grace therefore seeing an untruth alledged, and that so craftily as by undue and perverse ways, the same without good remedy adhibited, may for a season bring things into confusion, doth communicate unto the pope's holiness presumptions and evidences enough, and sufficient to inform the conscience of his holiness of the very truth: which then, if his holiness will not see, but

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II.

either for affection, fear, or other private cause, will ^fhave hearkenynge to every dilatory and vain allegation of such as led upon undue grounds would colour the truth; What doth his holiness less therein, than under a right vain colour expressly ^srefuse and deny the said justice, which to be done either in health or sickness, in a matter of so great moment, is in no wise tolerable? But for the same reasons that be before mentioned, is the thing, whether the pope's holiness be in hope or despair of life, without further tract to be absolved and determined; for if Almighty God grant his holiness life, this act is, and always shall be, able to bear it self, and is meet to be an example, a president and a law, in all like cases emerging, the circumstances and specialties of the same in every part concurring as they do in this; nor can the emperor make exceptions at the same, when he best knowing, percase, the untruth shall see the grounds and occasions, that of necessity and meer justice have enforced and constrained the pope's holiness thereunto; which he could not refuse to do, unless he would openly and manifestly commit express injury and notorious injustice. For be it that the pope's holiness hearkning to the said frivolous and vain allegations, would refuse to declare the law herein to the king's purpose, then must his holiness, either standing in doubt, leave and suffer the cause to remain in suspence to the extreame danger of the king's realm and succession for ever, or else declare the bull or breve, or both, to be good, which I suppose neither his holiness, nor any true Christian man can do, standing the manifest occasions, presumptions, and apparent evidences to the contrary. Then if the matter be not to be left in suspence, ^hne judgment can be truly given to the approbation of the bull or breve; how can the pope's holiness of conscience, honour, or vertue, living or dying, thus procrastinate or put over the immediate finishing thereof, according to the king's desire? or how may his holiness find his conscience towards God exonerate, if either living he should be the cause of so

^f hearken^s deny and refuse^h no

many evils as hereof may arise; or dying, wilfully leave this so great a matter, by his own default, in this confusion, uncertainty and perplexity? It is not to be supposed, that ever prince most devout to the see apostolic, could so long tolerate so high an injury, as being so merited towards the said see, is both ⁱunacquited for his kindness with any special grace, and also denied upon his petition of that which is evident to be plain justice. This thing is otherwise to be looked upon, than for the pope's sickness, where most need were to put an end unto it, to be delayed, seeing that living and amending, it is of it self expedient and justifiable, and dying, it shall be an act both necessary, meritorious and honourable. For this cause ye now knowing the king's mind in this behalf, shall if ye have not already before this time spoken with the pope's holiness at length in these matters, as the king's grace trusteth ye have done, sollicite as well by the ^kmean of *Messiere Jacobo Salviati*, as by the bishop of Verone, and otherwise as ye can think best, to have such commodious access unto his holiness, as ye may declare the premises unto him; which by your wisdoms, in as effectual and vive manner as ye can, ^lopened unto his holiness. It is undoubtedly to be thought the same shall rather be to his comfort and encrease of health, than to any his trouble or unquietness; and that his holiness hearing these reasons not evitable, will whether he be in way and hope of amendment, or otherwise, both proceed to the said indication, and also to the declaration of the law, and passing of a sufficient and ample decretal, as hath been devised in the king's said cause, with other such things, as by former letters and instructions, by the decrees mentioned in the same, that failing have been committed unto you, to be solicited and procured there; in the labouring whereof, albeit since your ^mdeparture from hence, the things have by reason of the pope's ⁿsaid sickness, otherwise chanced than was here supposed, by ^omean whereof ye not instructed what to do in any such case, were peradventure not over-

ⁱ unacquainted ^k means ^l open it ^m departures ⁿ sore ^o means

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II.

hasty or importune to labour these matters, till the pope's holiness might be better amended, nor could percase find the means to have convenient access unto his presence for the same, ye must nevertheless adhibit such diligence, as howsoever the sickness of his holiness shall cease, amend, or continue, these things be not for the same, or any other cause tracted or left in longer suspence; but finding possible means to come unto the pope's presence, to declare all such things unto the same, mention'd both in the former letters and instructions given unto you, and also in these presents, as may make to the purpose; and failing of often access in your own persons to his holiness, ye cause the bishop of Verone, and other such assured friends as ye can attain, being about him at such times as they may have with his holiness, to Pinculke unto him the said points and considerations, and all other that ye can excogitate and devise to the furtherance and advancement of these matters, not forbearing or sparing also, if ye shall see difficulty at the pope's hand, or in audience to be given to you or your friends there, being about his person, to break and open after a good fashion and manner the same unto such of the cardinals, as ye may perceive assuredly and constantly to favour the king's highness, and the French king in election of a future pope, in case (as God forbid) the pope's holiness should decease; and to shew unto the same cardinals, all such things as you shall think meet, both for their more ample instructions in the truth and specialties of the matters, as well concerning the indication of truce, as the king's said cause, and the presumptuous reasons, and plainer evidences, leading to the insufficiency of the bull, and apparent falsity of the said breve; to the intent, that as many of the said cardinals as ye can win, made sure in those matters, they may, both in time of sickness, and also of amendment, move and induce the pope's holiness thereunto, laying before him as well the merits and honour that may ensue by the perfection of the premises, as the danger imminent

P inculcate

by the contrary: and semblably it shall be expedient that ye win and make sure to the same purpose, as many of the officers of the *rote* and other as ye can, who as ye write be not accustomed, *ne* will give counsel to any person but to the pope's holiness; for albeit ye cannot have them to be of the king's council, yet nevertheless they may do as much good, or more, in training and counselling the pope's holiness, upon the great reasons that *'ye* can shew unto them, to hearken unto your overtures *in* this behalf. To which purpose you shall *adquire*, make, and win, as many friends of the cardinals, of them; and other, as ye possibly may, as for the thing which the king's highness and I more esteem than twenty papalities; and amongst other, ye shall insist, by all means and good persuasions ye can, for the continuance there of the said bishop of Verone, so as he may countervail the arch-bishop of Capuan; who, as it seemeth, is continually about the pope's person, and were necessary to be met with in the labours and persuasions, which by likelihood he maketh to the hindrance of the king's purpose: For the better *conceignyng* of the which bishop of Verone, not only the king's highness and I write unto him at this time, as by the copy of the same several letters being herewith ye shall perceive, but also the French king will do the semblable. And furthermore, to the intent that the pope's holiness may well perceive that not only the said French king mindeth the king's said cause, and taketh it to heart as much as it were his own, and will effectually join and concur with the king's highness therein, but that also he is and will be conformable to the said indication; He will send thither, with all speed, the bishop of Bayon to further, sollicite, and set forth the same; who, before his departure from hence, which was a good season passed, was and is sufficiently and amply instructed in all things requisite to this purpose; and not only in these matters, but also in such other as were written unto you by Vincent de *Cas-*

rote *nor* *to om.* *you* *on* *adure,*
continuing *Cassalis,*

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salys, and Hercules, upon advertisement given hither that the pope's holiness was deceased; so as ye may be sure to have of him effectual concurrence and advise in the furtherance and sollicitation of your charges, whether the pope's holiness amend, remain long sick, or (as God forbid) should fortune to die; trusting, that being so well furnished by all ways that can be devised, ye will not fail to use such diligence as may be to the consecuting and attaining of the king's purpose: wherein, tho' ye be so amply and largely instructed, that more cannot be; yet nevertheless having lately received from the bishop of Worcester a memorial of diverse great things to be well noted and considered, for trial of the falsity of the said breve, I send you herewith a copy of the same memorial, to the intent ye substantially visiting and perusing the same, may follow and put in execution such part thereof, for better trial of the falsity, as is to be done there, like as the rest meet to be done here, shall not fail to be executed with diligence accordingly.

Thus be ye with these, and other former writings, sufficiently instructed what is to be done by you there, whether the pope's holiness continue long in his sickness, or whether the same fortune to decease, or soon, God willing, to amend. There resteth no more, but that ye always take for a perfect ground, That tho' to every new chance not before known, sufficient provision and instruction could not be given to you at your departure, ye always note, remember, and regard, That this the king's cause admitteth ^ane suffereth any manner negative, tract, or delay; wherefore knowing that so well as ye do, and also how much the ^bindication of the truce shall be commodious and necessary, both to the king's highness in particular, and to all Christendom in general, by means whereof his grace shall avoid contribution, and other charges of the war, ye must now, if ever you will have thanks, laud, or praise for your service, employ your selves *opportune et importune* to put an end to ^cthese ij points to the king's satisfaction and desire; and in every difficulty to study, by your wisdoms, the best and next re-

^a nor^b indiction^c the points

medy, and not always to tract your doings, till upon your advertisement hither, ye shall have new knowledge from hence: for thereby the matter it self, and also your demurr there, be of over long a continuance, and infinite inconveniences by the same may ensue. I therefore require you according to the special trust and confidence that the king's highness and I have in you, now for ever to acquit yourselves herein with all effect possible, accordingly so as the king's highness be not longer kept in this perplexity and suspence, to his grace's intolerable inquietness, and the great heaviness of all those that observe and love the same.

Furthermore, tho' it so be that the king's trust, and also mine is, Ye will by your ^dwisdomes find such good means and ways as ye shall not fail, God willing, to open and declare unto the pope's holiness, the whole of the king's mind, and all and singular the premisses, with the ^eresidue mentioned in your former instructions and letters sent unto you: yet nevertheless considering what ye wrote of the doubt of continuance of the pope's sickness, and to make sure for all events and chances, in case his holiness (as God forbid) should long remain in such state, as he might either take upon him the ^fmayning of the peace, journeying and repairing to the ^ssaid diet, ^hne also hear the whole of the things by you to be opened and propounded touching the king's said cause: It hath been thought to the king's highness convenient rather than these great and weighty matters should hang in longer suspence, to excogitate some other good ⁱmean and way how these matters, so necessary, may by some ways be conduced and brought to an end: and it is this; That the pope's holiness not being able to travel to the place devised, where the princes may be near him for treaty, and ^kmayning of the peace, he do depute me and my lord cardinal Campegius, *conjunctim et divisim*, as his legates for that purpose, to do and execute all such things in his holiness's name, as the same should do in that behalf if he were there present; whereunto, for the ^lwele of Christ-

^d wisdom ^e residue above mentioned ^f naming ^s sacred
^h nor ⁱ means ^k managing ^l well

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endom, we shall be contented to condescend. So always, that as hath been written heretofore unto you, before I pass or set forth to any convention or place, to the intent before specified, the king's highness be fully satisfied and pleased in his said matter of matrimony, without which, neither with nor without the pope's presence, I will ever begin or take that voyage: for performance whereof, this article following is of new devised, to be by you propounded unto his holiness, if the decretals cannot be obtained, or some other thing, that ye shall well know and perceive, by advice of expert counsel there, to be better to the king's purpose than this thing now devised, and that may without tract be passed^m and granted; that is to say, That his holiness do enlarge, extend, and amplify his commission given to me and my lord legate Campegius, whereby we jointly and severally may be sufficiently furnished and authorized, to do as much in this cause of matrimony, with all the emergents and dependencies upon the same, as his holiness may do of his ordinary and absolute power, with sufficient and ample clauses, *ad decernend. declarand. et impetrand. jura, leges, et rescripta quacunque hoc matrimonium concernentia, una cum omnibus et singulis dubiis in eadem causa emergentibus.* And further, to make out compulsories to any princes, or persons of what preheminance, dignity, state, or condition soever they be, *etiamsi imperiali, regali, vel alia quacunque dignitate perfulgeant, sub quibuscunq; penis,* and in what countries and places soever they be, to exhibit and produce any manner witness, records, °original rescripts or other thing, in what place, or time we, or the one of us shall require them, or any of them in this behalf, with all and singular the circumstances requisite and necessary to such a commission, after such ample and assured manner, as the same once had, we shall not need for any objections, doubt, or other thing that might infringe or lack, to send of new to the pope's holiness for other provision, whereby the king's said cause might hang in any longer tract or delay. In which case of coming to this commis-

^m orⁿ *declarand. om.*^o originals,

sion, ye Mr. Stevins must have special regard to see the same sufficiently and substantially penned, by advice of the most expert men that ye can find to that purpose: For the better doing whereof, I send unto you herewith a copy of the Pformer commission ¶given to me and my ¶said lord Campegius, with certain additions thereunto noted in the margin, such as have been here devised; and also a copy of certain clauses in a bull, to the intent ye may see how amply the same be couched, to avoid appellations and other delays in causes of far less moment and importance than the king's is. Nevertheless ye must, if it shall come to the obtaining of this new commission, see to the penning and more ¶full perfecting thereof, so as the same may be in due perfection, without needing to send eftsoons for remedying of any thing therein, as is aforesaid; looking also substantially whether the chirograph of pollicitation, being already in your hands, be so couched, as the date, and every thing considered, it may sufficiently oblige and astringe the pope's holiness to confirm all that we, or one of us, shall do, by virtue of this new or the old commission: and if it be not of such efficacy so to do, then must ye in this case see, that either by sufficient and ample words to be put in this new commission, if it may be so had, or by a new chirograph the pope's holiness may be so astringed; which chirograph, with the commissions before specified, if ye obtain the same, the king's pleasure is, That ye sir Francis Brian shall bring hither, in all possible diligence, after the having and obtaining thereof, soliciting nevertheless, whether the pope be to be facilly spoken with, or not, the immediate indication of the truce, as is aforesaid, without which in vain it were for me, either with or without the pope, to travel for labouring and conducing of the peace. And so by this way should the pope's holiness, with his merit and sufficient justification, proceed for the trucê, as a fundament of universal peace, satisfy the king's desires, and avoid any doubt of the emperor; forasmuch as his holiness might alledg, That being so extreamly sick, that he was not able to know of the cause

¶ said

¶ given om.

¶ said om.

¶ fully

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himself, he could no less do of justice, than to commit it unto other, seeing that the same is of such importance as suffereth no tract or delay. And finally, the king's highness, God willing, by this means, should have an end of this matter. One thing ye shall well note, which is this; Albeit this new device was now for doubt of the pope's long continuance in sickness, first excogitate; yet it is not meant, ^tne ye be limited to this device, in case ye can obtain any other, ^une ye be also commanded, to prefer this before all the other ^zformer devices; but now that ye shall see and understand what this device is, and knowing what thing is like or possible to be ^yattained there, without long putting over of your pursuits, expend, consider, and regard well with your self, what thing ^zit is of this, or any other that may best serve to the brief and good expedition of the king's cause. So always that it be a thing sure, sufficient, and available to his grace's purpose, that may without any further tract be there had; and then by your ^awisdomes taking unto you the best learned counsel that ye can have there, leave you to the expedition of that which so may be most meet, as the times require and suffer, to the brief ^bfinishing of the king's said cause to ^chis purpose, without tract or delay, and that ye may see is the thing, which as the ^dmatters stand, can speedily be obtained and sped, as is aforesaid. For whether the decretal be better than this, or this better than that, or which soever be best, far it shall be from wisdom to stick, and still to rest upon a thing that cannot be obtained; but since ye know the king's meaning, which is to have a way sufficient and good for the speedy finishing of this cause to his grace's purpose, note ye now, and consider with your self, by advice of learned counsel, as is aforesaid, how ye may bring that to pass, and shall ye deserve as high thanks as can be possible. So always that it be so well provided and looked upon, that in it be no such limitations or defaults, as shall compel us any more to write or send for reformation thereof: and coming to this commission; tho'

^t nor ^u nor ^z former *om.* ^y obtained ^z it is *om.*
^a wisdom ^b furnishing ^c this ^d matter stands,

percase ye can by no means or sticking have it in every point as the copy, which I send you with the annotations do purport; yet shall ye not therefore refuse it, but take it, or any other thing as can be had, after such form as may substantially serve, and as ye can by your ^cwisdoms and good solicitations obtain, for the speedy finishing of the king's cause to his purpose, as is aforesaid, which is the ^fstopp whereunto we must tend at this time; and therefore ye be not limited or coacted within any such bounds as ye should thereby be compelled or driven, for lack of obtaining any thing or point mentioned in these or other your instructions, or former writings, to send hither again for further knowledge of the king's pleasure; but ye be put at liberty so to qualify, so to add, detract, immix, change, chuse or mend as ye shall think good; so always that ye take the thing that best can be had, being such as may as effectually as ye can bring about, serve to the king's purpose, and to put undelayed end to ^t it, according to his grace's desire, without further tract, or sending thither, which is as much as here can be said or devised. And therefore at the reverence of Almighty God, bring us out of this perplexity, that this vertuous prince may have ^shis thing sped to the purpose desired, which shall be the most joyous thing that this day in earth may chance and succeed to my heart; and therefore I eftsoons beseech you to regard it accordingly: howbeit if the pope's holiness refusing all your desires, shall make difficulty and delay ^htherein, it is an evident sign and token, that his holiness is neither favourable to the king's reasonable petitions, nor indifferent, but should thereby show himself both partial, and expresly ⁱadverse unto his grace; wherefore in that case finding in his holiness such unreasonableness, as it can in no wise be thought ye shall do, The king's pleasure is, that ye ^kthen proceed to the protestations mentioned in the first instructions given to Mr. Stevins, for you and the residue of your colleagues; and that ye not only be plain and round with the pope's holiness therein, if ye come to his speech; but also ye show and extend unto

^c wisdom ^f scope ^s this ^h there, ⁱ adverse ^k then om.

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the cardinals, and other that be your friends, which may do any good with him, the great peril and danger imminent unto the church and see apostolick; thereby exhorting them, That they like vertuous fathers have regard thereunto, and not to suffer the pope's holiness, if he would thus wilfully, without reason or discretion to precipitate himself and the said see, which by this refusal is like to suffer ten times more detriment, than it could do for any discontentment that the emperor could take with the contrary: for ye shall say, sure they may be, and so I for my discharge declare, both to the pope's holiness and to them, If this noble and vertuous prince, in this so great and so reasonable a cause, be thus extreemly denied of the grace and lawful favour of the church, the pope's holiness shall not fail for the same to lose him and his realm, the French king and his realm, with many other their confederates; besides those that having particular quarrels to the pope, and ¹see aforesaid will not fail, with diverse other, as they daily seek occasions, and provoke the king's highness thereunto, which will do the semblable, being a thing of another sort to be regarded, than the respect to the emperor, for two cities, which nevertheless shall be had well enough, and the emperor, neither so evil contented, ^mne so much to be doubted herein, as is there supposed. This, with other words mentioned in your instructions concerning like matter, ye shall declare unto his holiness, and to the said cardinals, and others being your friends, if it come to that point; whereby it is not to be doubted, but they perceiving the danger aforesaid, shall be glad to exhort and induce his holiness, for the ^aweale of himself and the church, to condescend to the king's ^odesires; which is as much as can be here thought or devised, to be by you done in all events and chances: and therefore I pray you, eftsoons, and most instantly require you, as afore, to handle this matter with all effect possible. Coming to this new commission, when you shall have once attained such things as shall be sufficient for the king's purpose as is aforesaid; and that you have it in your hands and custody,

¹ so ^m nor ^a well ^o desire;

and not afore, lest thereby ye might hinder the expedition thereof, ye shall by all ways and means possible, labour and insist, that the king's highness, as need shall be, may use and enjoy the benefit of the decretal, being already in my lord cardinal Campegius's hands, whereunto the king's highness and I desire you to put all your effectual labour for the attaining of the pope's consent thereunto accordingly.

Ye shall furthermore understand, That it is thought here, in case, as God forbid, the pope should die before ye should have impetrate any thing that may serve to the absolution of the king's matter, that the colledge of cardinals have authority, power, and jurisdiction, *sede vacante*, to inhibit, 'advoke, *et ex consequenti*, to pass and decide the king's matter, seeing that the same is of so high moment and importance concerning the surety of a prince and his realm, as more amply ye shall perceive in the chapters, *ubi periculum de electione, ne Romani, de iurejurando, et capite primo de schismaticis*; Wherefore the king's pleasure is, that ye Mr. Stevins shall diligently weigh and ponder the effect of the said chapters, not only with your self, but also with such the king's learned counsel as ye and your colleagues have conducted there; and what jurisdiction, *sede vacante*, the colledge of cardinals have either by the common law, usage or prescription, which may far better be known there than here: and if ye find that the cardinals have in this the king's cause, and such other like authority and jurisdictions to inhibit, 'advoke and decern, then, *in casu mortis pontificis, quod Deus avertat*, ye shall specially foresee and regard that for none intercession or pursute made by the emperor and his adherents, they shall either inhibit or 'advoke: and also if before such death, ye shall not have obtained such thing to the king's desire and purpose, as these present letters before do purport, his grace's pleasure is, That ye shall pursue the effectual expedition of the same, at the

his highness

'advoke,

'advoke

'advoke:

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hands of the said colledge, *sede vacante, ne res quæ nullam dilationem exposcit, tantopere usque ad electionem novi pontificis* ¹*quoquo modo differatur*; using for this purpose all such ²reasons, allegations, and perswasions mentioned in ³these letters, and your former instructions, as ye shall see and perceive to serve to that effect; and so to endeavour and acquit your self, that such things may be attained there, as may absolve this the king's matter, without any further tract or delay; whereby ye shall as afore highly deserve the king's and my special thanks, which shall be so acquitted ⁴and decerned, as ye shall have cause to think your pains and diligences therein in the best wise imployed, trusting in God that howsoever the world shall come, ye shall by one means or other bring the king's matter, which so highly toucheth his honour and quiet of mind, unto the desired end and perfection.

Finally; Ye shall understand that the French king, among other things, doth commit at this time to the bishop of Bayon, and Mr. John Joakim to treat and conclude the confederation heretofore spoken of, between his holiness, and the king's highness, the French king, the Venetians, and other potentates of Italy, for a continual army to be entertained to invade Spain in case it stand by the emperor, that the peace shall not take effect: wherefore the king's pleasure is, that ye having conference with them at good length in that matter, do also for your parts, sollicite, procure, and set forth the same; entring also on the king's behalf ⁵into the treaty, and conclusion thereof, after such manner as your former instructions and writings do purport. So as like as the French king is determined, that his agents shall join and concur with you in the king's pursuits and causes; so ye must also concur with them in advancement of their affairs, the successes whereof, and of all other your doings there, it shall be expedient ye more often notify hitherto than ye do, for many times in one whole month no know-

¹ *quoquam*² reason,³ those⁴ and decerned *em.*⁵ unto

ledge is had from you, which is not meet in ^athese so BOOK
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weighty matters, specially considering that sometime by
such as pass to Lyons, ye might find the means to send
your letters, which should be greatly to the king's and my
consolation, in hearing thereby from time to time, how the
things succeed there; I pray you therefore to use more dili-
gence therein, as the king's and my special trust is in you.
And heartily fare you well. From my ^bplace besides West-
minster, the sixth day of April.

The French king hath sent hither an ambassiate, mon-
sieur de Langes, brother to the said bishop of Bayon, with
certain clauses in his instructions, concerning the said treaty
of confederation, the copy whereof ye shall receive herewith,
for your better ^cripping in that matter. Praying God to
speed you well, and to give you grace to make a good and
short end in your matters. And eft-soons fare ye well.

Your loving friend,
T. Cardin. Eborac.

XXIII.

*Another dispatch to the ambassadours, to the same purpose.
A duplicate.*

RIGHT well beloved friends, I commend me unto you in Cotto lib.
my hearty manner letting you wit, that by the hands of Vitell.
b. 11.
Thadeus bearer hereof, the king's highness hath received fol. 126.
your several letters to the same directed with the pope's
pollicitation mentioned in the same, and semblably I have
received your conjunct and several letters of the ^adates of
the 18. and 29. days of March; the 8, 19, 20, and ^b21. of
April, to me directed, wherein ye at right good length have
made mention of such discouraes, conferences, audiences,
and communications as ye have had concerning your charge,

^a those

^b palace

^c carrying on

^a date

^b 22.

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since the time of your former advertisements made in that behalf, with all such answers and replications as have been made unto you by the pope's holiness, and other on his behalf concerning the same. In the circumstances whereof ye have so diligently, discreetly, and substantially, acquitted your selves, as not only your firm and fervent desire, to do unto the king's highness special and singular service in this his great and weighty cause; but also your ^cwisdomes, learning, and perfect dexterities, heretofore well known, hath every one for his part thereby been largely of new shewed, comprobate and declared to the king's good contentment, my rejoyce and gladness, and to your great laud and praise. For the which his grace giveth unto you right hearty thanks, and I also for my part do the semblable; assuring you, in few words, tho' the time and state of things hath not suffered that your desires might at this time be brought unto effect; yet the king's grace well knoweth, perceiveth, and taketh, that more could not have been done, excogitated, or devised, than ye have largely endeavoured your self unto for conducing the king's purpose, which his grace accepteth, as touching your merits and acquittal in no less good and thankful part, than if ye finding the disposition of things in more direct state, had ^dconsecuted all your pursuits and desires: ^ene ye shall doubt or think, that either the king's highness or I have conceived, or thought any manner negligence in you for such things as were mentioned in the last letters sent unto you by Alexander, messenger, but that albeit his highness had cause, as the same wrote, to marvel of your long demor, and lack of expedition of one or other of the things committed to your charge; yet did his highness right well perswade unto himself the default not to be in you, but in some other cause, whereof his grace not knowing the same, might justly and meritoriously be brought unto admiration, and marvel: And therefore be ye all of good comfort, and think your perfect endeavours used, and services done, to be employed there, as it can ^fbe right well, in every part regarded and considered.

^c wisdom, ^d consecute ^e nor ^f be om.

In effect coming to the specialties of the things now to be answered, The king's highness having ^εgroundly noted and considered the whole continue and circumstances of all your said letters and advertisements, findeth and perceiveth evidently, that whatsoever ^hpursuits, instances, and requests have been, or shall be for this present time, made there by you on his grace's behalf to the pope's holiness, for the furtherance of ⁱhis said great and weighty cause; and how much soever the necessity of Christendom for the good of peace, the importance of ^kthis matter, the justness of the thing it self, reason, duty, respect to good merits, detecting of falsities used, evident arguments and presumptions to the same, or other thing whatsoever it be, making for the king's purpose, do weigh; the times be now such, as all that shall be done in any of the premisses there, is apparent by such privy intelligence and promise as is between the pope and the emperor, to hang and depend upon the emperor's will, pleasure, and arbitre, as whom the pope's holiness neither dare nor will in any part displease, offend, or miscontent, ^lne do by himself any thing notable therein, which he shall think or suppose to be of moment, the said emperor first in-consulted, or not consenting thereunto. And for that cause, since the emperor not only is the adversary of universal peace, letter, and impeacher thereof, but also, as hath appeared by sundry letters heretofore, and now of new sent out of Spain, doth shew himself adverse, and enterponing himself as a party against the king's said great matter; it were in manner all one to prosecute the same at the emperor's hands, as at the pope's, which so totally dependeth upon the emperor; and as much fruit might be hoped of the one as of the other, so as far discrepant it were from any wisdom in a thing so necessary, and which as ye know must needs be brought unto an end without any further ^mdelay, consume and spend time, where such express contrariety and in manner despair appeareth to do ⁿany good therein, and

^ε roundly ^h pursuits, and instances,
^m delay, to consume ⁿ any om.

ⁱ the ^k the ^l nor

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where should be none other but continual craft, colour, abuses, refuses and delays, but rather to proceed unto the same in place, and after such form as may be appearance of some good and brief effect to insue. Wherefore to shew you in counsel, and to be reserved unto your selves, the king's highness finding this ingratitude in the pope's holiness, is minded for the time to dissemble the matter, and taking as much as may be had and attained there to the benefit of his cause, to proceed in the decision of the same here, by vertue of the commission already granted unto me and my lord legate Campegius.

And for because that ye Mr. Stevins be largely ^oripened and acquainted in this matter, and that both the king's highness and I have right large experience of your entire zeal and mind to the studying and setting forth of such things concerning the law, as may be to the furtherance hereof; considering also that for any great thing like to be done there herein, such personages as be of good Pactivity, wisdom, and experience, tho' they be not learned in the law, may with such counsel as ye have retained there, right well serve to the accomplishment of such other things as shall occur, or be committed unto them on the king's behalf, tho' so many ambassadors do not there remain and continue: his grace therefore willing and minding to revoke you all by little and little, except you sir Gregory, being his ambassadour there continually residing, willeth, that after such things perfected and done, as hereafter shall be mentioned, ye Mr. Stevins, and you sir Francis Brian, shall take your leave of the pope's holiness, and with diligence return home. For if ne had been the absence of you Mr. Stevins, seeing that there is small appearance of any fruit to be obtained there, the king's highness would have entred into process here before this Whitsuntide: but because his grace would have you here present, as well for the forming of the said process, and for such things as ^qbe trusted that ye shall obtain and bring with you, as also for the better knowledge to be had in sundry matters, wherein you may be the better

• ripened

q authority,

p he

ripened and informed by means of your being in that court, and otherwise, his highness will somewhat the longer defer the commencement of the said process, and respite the same, only for your coming; which his grace therefore desireth you so much the more to accelerate, as ye know how necessary it is, that all diligence and expedition be used in that matter. And so ye all to handle and endeavour your selves there, for the time of your demor, as ye may do the most benefit and advantage that may be to the speedy furtherance of the said cause.

And forasmuch as at the ^rdepeche of your said last letters, ye had not opened unto the pope's holiness, the last and uttermost device here conceived, and to you written in my letters sent by the said Alexander, but that ye intended, as soon as ye might have time and access, to set forth the same; wherein it is to be trusted, since that thing could by no colour or respect to the emperor be reasonably denied, ye have before this time done some good, and brought ^{it} unto perfection; I therefore remitting you to such instructions as ye received at that time, advertise you that the king's mind and pleasure is, ye do your best to attain the ampliation of the said commission, after such form as is to you, in the said last letters and instructions, prescribed; which if ye cannot in every thing bring to pass, at the least to obtain as much to the king's purpose, and the benefit of the cause as ye can; wherein all good policy and dexterity is to be used and the pope's holiness by all persuasions to be induced thereunto; shewing unto the same how ye have received letters from the king's highness and me, responsive to such as ye wrote of the ^rdates before rehearsed; whereby ye be advertised that the king's highness, perceiving the pope's strange demeanour in this his great and weighty cause, with the little respect that his holiness hath, either to the importance thereof, or to do unto his ^hhighness at this his great necessity, gratuity and pleasure; not only cannot be a little sorry and heavy to see himself frustrate

^r dispatch^{it} om.^r debates^h holiness

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of the ^xfirm hope and expectation that his grace had, to have found the pope's holiness a most loving, fast, near and kind father, and assured friend, ready and glad to have done for his grace, that which of his power ordinary or absolute, he might have done in this thing, which so near toucheth the king's conscience, health, succession, realm, and subjects; but also marvelleth highly, That his holiness, both in matters of peace, truce, in this the king's cause, and in all other, hath more respect to please and content him of whom he hath received most displeasures, and who studieth nothing more than the detriment of ^ythat see, than his holiness hath either to do that which a good common father, for the ^zweale of the church, himself, and all Christendom, is bounden, and oweth to do, or also that which every thing well pondered, it were both of congruence, right, truth, equity, wisdom, and conveniency ^aso to do. Thinking verily that his highness ^bhath deserved to be far otherwise entreated, and that not at his most need in things nearest touching his grace, and where the same had his chief and principal confidence, thus to have his just and reasonable petitions rejected, and totally to be converted to the arbitre of his enemy, which is not the way to win, acquire and conserve friends to the pope's holiness and see apostolic, ^cne that which a good and indifferent vicar of Jesus Christ, and common father unto all princes oweth and is ^dbounden to observe. Nevertheless ye shall say the king's highness, who always hath shewed, and largely comprobate himself a most devout son unto the see apostolick, must and will take patience; and shall pray to God to put in the pope's mind, a more direct and vertuous intent so to proceed in his acts and doings, as he may be found a very father, upright, indifferent, loving and kind; and not thus ^efor partial respect, fear, or other inordinate affection, or cause, to degenerate from his best children, showing himself unto them, as a step-father, ^fne the king's

^x future^y the^z well^a for^b hath *om.*^c nor^d bound^e for a partial^f nor

highness ye shall say can persuade unto himself, that the pope's holiness is of that nature ^sor disposition, that he will so totally fail his grace in this matter of so high importance, but that by one good mean or other, his holiness will perfectly comprove the intire love that always the same hath shewed to bear towards his highness, wherein ye shall desire him now to declare by his acts the uttermost of his intent and disposition; so as ye Mr. Stevens and Mr. Brian, who be revoked home, do not return with void hands, or bring with you things of such meagerness, or little substance, as shall be to no purpose: and thus by these, ^hand like words, ⁱsounding to the same effect, which as the time shall require, and as he shall have cause, ye by your wisdoms can qualifie and devise. It is not to be doubted, but that the pope's holiness perceiving how the king's highness taketh this matter, and that two of you shall now return, will in expedition of the said ampliation of the commission and other things requisite, strain himself to do unto the king's highness as much gratuity and pleasure as may be; for the better attaining whereof, ye shall also show, how heavy and sorry I with my lord legate Campegius be, to see this manner of proceeding, and the large promises which he and I so often have made unto the king's highness, of the pope's fast and assured mind, to do all that his holiness, *etiam ex plenitudine potestatis*, might do, thus to be disappointed: most humbly beseeching his holiness on my behalf, by his high wisdom to consider, what a prince this is; the infinite and excellent gratitudes which the same hath exhibited to the pope's person in particular, and to the see apostolick ^kin general: the magnitude and importance of this cause, with the consequences that may follow, by the good or ^levil entreating of the king's highness in the same; wherein ye shall say, I have so largely written, so plainly for my discharge declared the truth unto his holiness, and so humbly, reverently, and devoutly, made intercession, that more can I not add or accumulate there-

^s and ^h or ⁱ seconding ^k in the general: ^l ill

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unto, but only pray unto God that the same may be perceived, ^munderstonden, and taken, as the exigence of the case, and the merits of this noble prince doth require; trusting always, and with fervent desire, from day to day, abiding to hear from his said holiness some such thing as I shall now be able constantly to justifie and defend, the great things which I and my said lord legate have said and attested on his holiness's behalf.

This, with all other such matter as may serve to the purpose, ye shall extend as well as ye can, and by that means get and attain as much to your purpose for the corroboration and surety of all things to be done here as is possible, leaving to speak any more, or also to take or admit any re-scripts for exhibition of the brief, advocacy of the cause, or other of the former degrees, seeing that all which shall or can be done or attained there, shall hang meerly upon the emperor's will, consent, and arbitre: and therefore nothing is now or hereafter to be procured, that may tend to any act to be done, in decision of the cause or otherwise there, or which may bring the adverse party to any advantage to be taken by the favour or partiality, that the same may have in that court; but to convert and employ all your suit, to that thing which may be to the most con-validation and surety of the process, and things to be done here, as well by attaining as ample, large, and sufficient words, clauses and sentences as ye can get, for ampliation of the new commission; as for the defeating of any thing that may be procured to the impeachment of the process thereof, and the corroboration of the things to be passed, and done, by virtue of the same.

And amongst other things, whereas ye with these last letters, sent the pope's pollicitation, for the non-inhibition or avoking of the cause, the ratifying and confirming of the sentence by us his legates herein to be given, and other things mentioned in the same, ye shall understand, that the said pollicitation is so couched and qualified, as the pope's

^m understood,^a legates,

holiness whensoever he will may °reserve (q?); like as by certain lines and annotations, which in the margin of a copy of the said pollicitation I send you herewith, ye shall perceive more at large: and therefore after your other suits, for the ampliacion of the new commission, if any such may be attained, brought unto as good a purpose as ye can, ye shall by some good way find the mean to attain a new pollicitation, with such, or as many of the words and additions newly devised as ye can get; which ye may do under this form and colour, that is to say, to shew unto the pope's holiness, by way of sorrow and doleance, how your courier, to whom ye committed the conveyance of the said pollicitation, so chanced, in wet and water in the carriage thereof, as the pacquet wherein it was, with such letters as were with the same, and amongst Pother the rescripts of pollicitation, ¶ was totally wet, defaced, and not legible; so as the pacquet and rescript was and is detained by him to whom ye direct your letters, and not delivered amongst the other unto the king's hands; and unless his holiness, of his goodness unto you, will grant you a double of the said pollicitation, ye see not but there shall be some notable blame imputed unto you for not better ordering thereof, to the conservation of it from such chance. And thus coming to a new pollicitation, and saying, ye will devise it as ¶ nigh as ye can remember, according to the former, ye by your wisdoms, and namely ye Mr. Stevins, may find the means to get as many of the new and other pregnant, fat, and available words as is possible, the same signed and sealed as the other is, to be written in parchment; the politick handling whereof, the king's highness and I commit unto your good discretions; for therein, as ye Mr. Stevins know, resteth a great strength and corroboration of all that shall be done there, in decision of the king's said cause; and as ye write may be in manner as beneficial to the king's purpose, as the commission decretal.

And to the intent ye may the better know how to pro-

° refile;

¶ others

¶ were

¶ near

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ceed in this business, I advertise you that the king's highness hath now received fresh letters out of Spain, answering to those sent by Curson jointly with a servant of the queen's, for exhibition of the original brief here, of whose expedition you Mr. Stevins were privy before your departure. The letters ^sbe of sundry dates, the last whereof, is the ^t21st day of April, at which time the emperor was at Cæsar Augusta, upon his departure toward Barselona. In effect, the emperor minding by his ^urepair thither, and other his acts, to make a great demonstration of his coming into Italy, who is to nothing, as the king's ambassadours write, more unmeet and unfurnished than to that voyage, not having any gallies there but three, which lay on dry land unrigged, as they have done a long time past, none assembly of the states of that land, none order, provision of victual, towardness in conscription of men of war, or appearance of such thing, but that his going to Barselona, is chiefly under ^xsuch pretext to attain certain old treasure there remaining, and to give the better reputation to his affairs in Italy. As ^yto matter of peace ^zor truce, he seemeth not so alien from it, but that he would, under colour thereof, be glad to separate and dis-join other from the sincerity of confidence that is between them, working somewhat with the French king, which he himself confesseth to be but abuses. On the other side, he maketh overture of peace or truce to be had with the king's highness apart; and in the mean time entertaineth the pope's holiness as one whom, won from the residue of the confederates, he thinketh himself most assured of: howbeit in all this his business, ye may constantly affirm, that his compasses cannot prevail in any thing that may be excogitate to the separation of the king's highness and the French king, who so intirely proceed together, that the emperour coming or not coming into Italy, the said French king intendeth to prosecute him in the place where his person shall be. To whom the king's highness now sendeth the duke of Suffolk, with the treasurer of his ho-

^s were ^t 21 of ^u departure ^x such *om.* ^y to the matter ^z and

nourable houshold ; who, if the pope will not really and actually intend to the ^amaynyng of the peace, coming to the convention of his holiness, moved as the case shall require, shall be furnished of a substantial number of men of war out of ^bthis realm to the assistance of the said French king, if the emperor happen to descend in Italy. So as his things there, be not like to be in such surety as might bring the pope's holiness to this extremity of fear and respect. And all the premisses touching this knowledg had out of Spain, and the French king's interest with the king's concurrence, as afore, it shall be well done ye declare to the pope's holiness, whereby peradventure the same shall be removed from some part of his said overmuch respect to that part.

As to sending of the breve, the emperor refusing to send it into England, sheweth some towardness of sending it to Rome, minding and intending to have the king's matter decided there and not here ; howbeit all be but vain collusions : for as ye shall perceive by such things as be extracted out of the letters of the king's orators resident in Spain, a copy whereof I send you herewith, the more the said breve cometh ^cunto light and knowledge, the more falsities be deprehended therein ; and amongst other, one there is specially to be noted ; making, if it be true, a ^dcleare and manifest proof of the same falsity ; which because if it were perceived by the adverse party, or any of their friends, counsellors, or adherents, it might soon by a semblable falsity be reformed, is above all other things to be kept secret, both from the pope, and all other there, except to your selves : for in computation of the year of our Lord is a diverse order observed in the court of Rome in bulls and breves ; that is to say, in the ^ebulls beginning at the incarnation of our Lord, in the breve at the nativity ; so as the thing well searched, it is thought it shall be found, that the date presupposed to be of the breve, which is 26. Decemb. *anno Dom. 1508. pontificatus Julii anno primo*, well conferred with the manner and usages of that court :

^a maintaining^b his^c into^d clearer^e bull

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he that counterfeited the breve, not knowing such diversity between the date of the ^fbulls and breves, and thinking to make both dates of one day, dated the breve at a day before pope Julius was pope; which ye shall more plainly perceive by the said copy, and specially if under some good colour ye sripe your selves there, whether the year in the date of breves change upon Christmas day, or upon New-years day, wherein the king's pleasure is, that ye ensearch and certifie here what ye shall know and perceive. And if ye shall by such inquiry find matter making to the purpose, as it is not doubted but ye shall do, then for the more sure justification and proof thereof before the judges; it shall be expedient ye in writing make mention of such a doubt, finding the means that it may be answered and declared in the same writing, by certain expert persons of the secretaries, and other officers of that court, with subscription of their answer, and names; whereby it may appear here ^hafore us as judges, as a thing true and approved: howbeit, great dexterity is to be used for the secrecy thereof; for if such exceptions might come to the knowledge of the adverse party, they might, as the said orators write, soon reform that default by detrahing one letter, or title, or forging a new breve, alledging error in the transumps, which might be the total disappointment of deprehension of the falsity in that chief and principal point. I pray you therefore to regard that matter substantially, and to order it by your good wisdoms accordingly.

XXIV.

*The two legates letter to the pope, advising a decretal bull.
A duplicate.*

Cotton lib.
Vitell. b.
11. fol. 235.

PRIORIBUS nostris ad sanctitatem vestram literis quid hic ageremus, quove in statu causa hæc esset exposuimus; postea quum, et res ipsa, et desiderium regis admodum ur-

^f bull and the breves,

^s ripen

^h before

geret, ut ad causæ ipsius merita agnoscenda accingeremur, quando in suspenso, non modo horum regum vota, sed nec hujus regni firmandi ratio, diutius haberi potest, omni suasionis genere horum animis prius adhibito, ut alterius voluntati alter cederet, eique morem gererent, cum nihil profecerimus, ad judicii institutionem accedentes, de modo causam ipsam pertractandi, multa longioribus colloquiis inter nos commentati sumus; qua in re, dum quæ necessaria sunt adornantur, exhibitum est per reginam exemplum brevis Julii 2. eodem tempore quo et bulla super hac materia, dati et scripti, sed attentiore cura et longe consideratione mente confecti, quod, quia in substantialibus etiam ab ipsa bulla diversum est, non modo regium, sed nostrum quoque; animum, mire suspensum habuit, usque adeo ut de ejus veritate plurimum suspicari libeat; nam præter insperatam in tanta opportunitate ejus apparitionem, incredibile videtur, ut eodem tempore idem author, eisdem partibus, in eadem causa, diversa admodum ratione caverit, et permansuro diplomati ejusque decreto, ad perpetuam rei memoriam, proferendo, et plumbeo caractere excudendo dormitaverit, brevioribus vero literis molli cera communiendis exactissimi studii et sobriæ cogitationis speciem impresserit: ne tamen majestas hæc rem hanc damnatam priusquam exploratam habeat, quippe quæ magis in veritate quam in voto suo, causæ hujus eventum susceptura videtur, ad ipsius brevis exhibitionem instat, quod, quia honestum et rationi consonum videtur, à nobis etiam probatur, propterea omni studio curamus, ut breve ipsum, quod in Hispaniis esse dicitur, et à quo exemplum hoc effigiatum aiunt proferatur; atque ut hoc expeditiore cura, et majore compendio assequamur, præter primam et summam illam de causa cognoscendi potestatem, quam à sanctitate vestra habemus, aliam quoque; ad hunc specialiter articulum habendam putamus, per quam possimus etiam per censuras, omnes etiam regia et imperiali auctoritate fulgentes, monere et adigere ut dictum breve nobis exhibeant, sine quo causa hæc nedum absolvi, sed nec commode tractari queat. Atque hoc primum est, quod majestas hæc, in tanta animi fluctuatione qua nunc æstuat, à

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nobis curandum putat, quo impetrato, iudicii via insistentes ad causæ cognitionem procedemus; quod si non proferatur, vel inutile et vitiatum, et fide sua facile rejiciendum, prolatum fuerit, nihil prohibebit, hoc sublato obice, quin ex officio nostro reliqua prosequamur: sin vero exhibeatur, et veritate sua, vel adeo scite conficta fallacia, ita se tueatur ut acriori examine id inquiri debeat, patefacto jam patronorum cavillis et calumniis foro, quibus undis et iudicii fluctibus non solum articulum hunc brevis, sed universam causam implicaturi simus, nullus non viderit; neque enim deerunt quæ suspectam ipsius brevis fidem faciant, vel ex hoc maxime, quod cum maxime regis et regni hujus intersit, nihil prorsus de eo antehac auditum fuerit, nec ejus memoria aut ratio ulla extet in scriniis regiis, in quibus etiam minima quæque ad regnum spectantia asservari solent: nam verisimile non est in Hispaniis majorem Anglicæ rei curam fuisse quam in ipsa Anglia, neq; quempiam solerti et acri adeo ingenio fuisse, qui hujuscemodi dissidium vigesimo quinto abhinc anno suboriturum, et hac sola ratione sublatum iri posse divinaverit, nulla ut diximus apud hunc regem, et in hoc regno talis rei memoria extante. Porro si ex brevi ad bullam, et ex bulla ad breve transitus fiat, atq; illius jejunitatem et ariditatem insectemur, hujus prægnantia verba, et ad omnes fere exceptiones tollendas, superstitiosam quodammodo vigilantiam conferamus, et quæ utrinq; deduci poterunt in rescriptis apostolicis æquo animo audiamus, periclitaturi certe sumus, ne, quod minime cupimus, sedis apostolicæ auctoritatem patientia nostra in discrimen rapiamus, atque dum regno, et regi hinc suppetias ferre volumus, rem, dignitatemq; nostram multo minorem faciamus, cui tamen posita etiam anima, favere et adesse semper cupimus et debemus. Propterea, beatissime pater, non solum pro regis et causæ hujus commodo, sed pro dignitate quoq; ecclesiastica et sanctitatis vestræ auctoritate hic tuenda et conservanda, nullo pacto committendum ducimus, ut nobis spectantibus et audientibus, de potestate Romani pontificis, de literarum apostolicarum sub plumbo et sub annulo scripta-

* tum

rum fide, et repugnantia, deque juris divini abrogatione disceptetur, maxime in regnum causa oppugnanda et defendenda, qui, ut sublimiore sunt fastidio collocati, ita ^biniquiori animo patiuntur causæ suæ casum, cum qua et dignitatem et existimationem suam diminutam iri intelligunt, quæ si ignobilium etiam animos quosque exulcerare, ipsa rerum experientia docti cernimus, qualiter quæso putamus regios et generosos affectura? Itaque quoniam hanc charybdim et hos scopulos evitasse semper tutum erit, propterea hujusmodi incommoda quodammodo prætervecti, ubi ad litis molestias et incertas fori fluctuationes causam deducendam perspicimus, suadere, rogare, et summis precibus parique reverentia contendere non desinemus, ut si exhibito brevi pura veritas ita latitaverit, quod rectumne an falsum, vitiatum, seu adulterinum fuerit judicare ac decernere minime valeamus, sanctitas vestra causam hanc ad se avocet, non solum ut tanto ^cdiscrimini, et ^dperplexitati nos eximat, sed ut paterno affectu, causæ et regi huic optimo subveniat, et opem ferat, atque ex potestatis suæ plenitudine et summa prudentia finem huic rei optatum imponat, quæ non sine magno hujus regni et ecclesiasticæ dignitatis periculo diutius trahi potest: speramus autem serenissimum hunc regem in hujusmodi avocandæ causæ consilio facile quieturum, salebrosa hæc litium itinera et labyrinthos evitaturum, modo in fide sanctitatis vestræ chirographo manus suæ testata, cognoverit, se diutius suspensio in hac re animo detinendum non fore, atq; ab hujusmodi matrimonio se tandem liberandum, in quo nec humano nec divino jure permanere se posse putat, ex causis sanctitati vestræ forsan notis, et per hos suos nuntios longioribus verbis explicandis. Quod si sanctitas vestra commodius existimaverit, avocatione hujusmodi posthabita, per decretalis unius concessionem huic causæ occurri et succurri posse, in hanc quoq; rationem regis animum paratum dabimus; et propterea concepto quodam decretalis modulo, eum per hos ipsos majestatis suæ nuntios mittimus, ex quibus abunde intelliget, quodque non absque exemplo istiusmodi auxilia proponantur, et quam non temere

^b iniquiore^c discrimine,^d perplexitate

BOOK nec absque ratione majestas hæc desiderio huic suo inhæreat :
II. interea vero, dum hac vel illa ratione huic rei occurritur et breve ipsum perquiretur, posset utique sanctitas vestra iterum reginæ animum tentare, et ad religionem emollire, curando (ut quod maxime apud eam gratia et autoritate esse debent) et literis, et precibus, et nuntiis, omnique alia ratione, hac ipsa via, sibi, suisque rebus omnibus atque aliis optime consulat. Cujusmodi multa, pro salute regni et publica cum dignitate, tum tranquillitate animo agitamur, ut tandem optimo regi præsidio simus, qui incredibili patientia et humanitate, nostram et sanctitatis vestræ opem expectat, sed tanta obsessus cura, sollicitudine et anxietate, ut nullus facile explicare possit, vix enim in hoc ipso, oculis et auribus nostris credimus; cuius usque adeo nos miseret, ut nihil ingrato magis animo audiamus quam ejus de hac re verba, querelas et cruciatum: jure, an injuria liceat nobis hoc, beatissime pater, cum sanctitate vestra tacere, ne præjudicium nobis aut aliis faciamus, sed quem non excitet tot annorum conscientie carnificina, quam ut transversum et modo in has et modo in illas partes agant theologorum disputationes, et patrum decreta, nullus non videt; qua in re enucleanda ita ambiguo laboratur sensu, ut jam non doctioris sed melioris hominis lumine et pietate egeamus et propterea factum est ^f ut cum ab utraque parte stent assertores maximi, in illam magis majestas sua ^h inclinēt, quæ ab offensionibus et periculis magis remota videtur. Quem præterea non moveat dulcis illa insitaque sobolis successio, in qua morientes et animam exhalaturi conquiescere, natura ipsa, videmur omnes? quem insuper non accendat, regni atque imperii propagatio, et per solos liberos continuata quædam fruitio? quem deniq; populorum fidei ac ejus curæ commissorum tranquillitas et securitas, quæ in designatis jam regibus et principibus nutritur et vivit, non sollicitet? ita ut tanti adeoq; communis boni fundamenta nulla à se jacta, non doleat et suspiret, cum in extremis ejus diebus, extrema quoque tempora eis adventare sentiat, atq; secum omnia quodammodo in ruinam trahi? Majores habet, beatis-

^c debeant^f ut om.^g stant^h inclināt,

sime pater, causa hæc anfractus et difficultates, quam superficiei tenus inspectantibus offerantur, in qua vel hæ potissimæ sunt quod nec moram patitur, et in alteram partem non inclinat quidem, sed omnino cogit, ni velimus ab ea præcípites et maxima cum privatæ tum publicæ rei jactura cadere; nam qui vel reginæ odio, vel speratæ, nec dum forsitan notæ, futuræ conjugis illecebra et titillatione regem agi putant, ii excordes plane et toto, quod aiunt, cœlo errare videntur: ut enim credere dignum est, nullis illius quamlibet duris moribus aut injocunda consuetudine, vel ulterioris sobolis spe desperata, regium animum tanto periculo ad odium impelli posse; ita nec in hominis bene sani mentem cadere debet, regem hunc imbecillo adeo esse animo, ut sensuum suadela eam abrumpere cupiat consuetudinem, in qua adolescentiæ suæ florentes annos exegerit persancte adeo, ut in hac quoque fluctuatione, non sine reverentia et honore versetur. Inest, credite omnes, voluntate ejus non modo divinæ legis timor, sed humani quoque juris ratio eximia, hæcque non privata sed publica, ad quam cum ejus animum trahant, utriusque juris peritissimi, et regni hujus sui proceres, et primates omnes, nihil tamen suo, aut suorum tantum arbitrio constitutum habere cupit, sed apostolicæ sedis judicio; qua in re quanta sit pietate, maxime ostendit, quum non ex magorum carminibus, et circulatorum imposturis, aliisve malis artibus, ^k sede sanctissima pontificis manu, tanto huic vulneri suo opem petat, de quo vel plura forte quam licuisset sanctitati vestræ subjecimus, quoniam hæc ipsa ulcera manibus nostris contrectavimus, et quantum vitales spiritus exhalent, cognovimus: proinde sanctitas vestra, pii patris et peritissimi medici more, dum virtus adhuc stat, dum salus non desperatur, dum æger ipse sese sustinet et legitima petit auxilia, regem de se et apostolica sede optime meritum in pietatis suæ sinu foveat, illudque ei indulgeat quod nec disputationum immortalia dissidia, nec litium immensum chaos unquam dabit, nec sine maximo discrimine unquam tractabitur; atque illud etiam secum reputet, quam injurium, et cum privatis tum publicis rebus incommodum sit, extremos

ⁱ ullius^k sed

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juris apices consecrari, quanquam non expediat ex scripto jure semper judicari, cui, quia pontifices et principes miro omnium consensu, à Deo ipso præfecti, censentur spiritus et animæ vice, merito in ambiguis, et ubi multa periclitatur hominum salus, arbitrio suo ejus duritiem moderari possunt et debent, in quo sanctitas vestra et regem et regnum hoc plane servaverit. Quod si alia ratione vel aliunde paranda sibi fuerint auxilia, veremur ne de regno et rege hoc actum sit, quicquid enim alia manu huic vulneri impositum fuerit, nihil minus faciet quam sanitatem, seditionibus enim et tumultibus omnia exponentur, atq; imprimis ecclesiastica dignitas et apostolicæ sedis autoritas hinc deturbabitur; quod non erit difficile, aut ingratum quibusdam, qui rege cum sanctitate vestra nunc conjunctissimo, impietatis suæ venenum perbelle dissimulant; cujusmodi jacturam si dura hæc tempora nostra ¹fecerint, quod deinde sperandum sit, non videmus. Conservandus itaq; rex est, ejusq; eximia in apostolicam sedem voluntas et fides, ne eo à nobis abalienato, non modo Angliæ regem, sed fidei quoq; defensorem amittamus, cujus virtutes et religionem tanto plausu orbi commendavimus. Brevitati studentes multa præterimus, et præsertim quid regni proceres, nobiles æque atque ignobiles dicant, qui fremunt et acerbissime indignantur, se tamdiu suspensos haberi, atque ab aliorum nutu et voluntate ^mexspectari, quid de fortunis eorum omnibus et capitibus statuunt, aut ⁿdecernant: atque hac potissimum via insistunt, qui nullam aut certe diminutam hic Romani pontificis auctoritatem vel lent, quorum plerique in his disceptationibus, quibus alter alteri, ut usu venire solet, re in ambiguo posita, adversatur, ea dicunt quæ non absque horrore referri queant; nam inter cætera illud maxime in ore obvium habent, et prædicant, se nunquam satis demirari, aut ridere posse quorundam ignaviam, qui patienter audiunt, pontificibus in jure divino figendo et refigendo licere, pontifici pontificis ceram aut plumbum conflare non permitti; nos, ut hos scopulos et has syrtes evitemus, nihil non agimus, et ne præceps, huc vel

¹ fecerunt,^m exspectare,ⁿ decernent:

illuc, rex hic ruat, curamus, quem in officio vix contineri BOOK
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posse confidimus, dum à sanctitate vestra his literis rescri-
batur: quibus si ut speramus et cupimus aliquid rescriptum
fuerit, per quod et regem et horum omnium animos quie-
tiores reddere valeamus, accedet nobis quoque vis aliqua cæ-
tera foelicius perficiendi: sin minus, omnia in deterius itura
non ambigimus. Quæ ut celerius majestas sua cognoscat,
præsentes hos nuntios suos per dispositos equos ad sanctita-
tem vestram mittit, ex quorum sermone plura quoque intel-
liget quam literæ ipsæ commodè capere potuerunt. Ignoscet
vero sanctitas vestra literarumstrarum prolixitati, quæ
tametsi modum excedunt, rei tamen hujus difficultatem et
periculum majori ex parte minime attingunt.

XXV.

May 21. 1529. Richmond.

Another dispatch to Rome. An original.

RIGHT well beloved friends, I commend me unto you in Cotton lib.
Vitell. b.
fol. 11. 119.
my most hearty manner, by the hands of Alexander, mes-
senger; I have in good diligence received your letters of
the 4th of this month; and semblably the king's highness
hath received your other letters, sent by the same messen-
ger unto his grace: by tenour whereof it well appeareth
that the king's highness is now frustrate of the good hope
and expectation that his grace and semblably I were in of
the pope's ^afirm determination, to have done for his high-
ness in this great and weighty cause of matrimony, as his
holiness by his chamberlain promised; not only that which
might be done of power ordinary, but ^balso absolute; and
that ye be utterly in despair to consecute or attain any thing
to the purpose there, to the benefit of the said cause, with
the strange demeanour that hath been used in calling you
to make answer, why the ^csupplication presented by the
emperor's ambassador for advocacy of the cause should

^a firm *om.*

^b also of absolute;

^c supplications

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II.

not proceed ; and how discreetly and substantially ye have answered and ordered your selves therein: affirming finally, that as to that matter, ye think it shall not serve to any purpose, but only to stop your suit in the obtaining of a new commission, and desiring to be ascertained of the king's pleasure touching the protestation mentioned in your instructions, and how the same is meant and understood, with many other things comprised in your said letters, right well and substantially couched and handled ; for the which the king's highness giveth you hearty thanks, and I also thank you in most hearty manner for my part.

Ascertaining you, that by Thadeus, courier, upon receipt of your former letters sent by him, who I trust be arrived with you long before this time ; I wrote unto you the king's mind and pleasure, as well to forbear any further pursuits of the degrees committed unto your charge, except only the expedition of a new commission and pollicitation mentioned in the same, as also that you Mr. Stevins, and sir Francis Brian, should return home, like as my said letters purported. And forasmuch as now it appeareth, that there is no hope for you to attain the said commission and pollicitation, the king's highness supposing that ye the said Mr. Stevins and sir Francis be on your way homeward ; and perceiving that it should be necessary for his grace to have there a substantial counsellor of his, well learned in the laws, as well to defend all such things as shall be procured or set forth by the Cæsareans, to the hindrance of the king's cause, as to let and impeach any ^dadvocation, inhibition, or other thing that may be dammageable thereunto, hath dispatched thither this bearer [and] Mr. Bennet, who hath commandment to shew unto you, and every of you, wheresoever he shall meet with or find you, his whole instructions, by tenour whereof ye shall be advertised of the king's further mind and pleasure in that behalf ; wherefore this shall be only to signifie unto you, how his highness will that ye now forbear any further pursuit, either for commission, pollicitation, or rescript to be sent to the emperor for exhibition of the brief,

^d advocations, inhibitions,

either here or at Rome, but that following in every part the tenor of the said instructions, ye Mr. Stevins and sir Francis Bryan use all the diligence possible in your voyage homeward, and the residue of you to intend to such things as be mentioned in the said instructions; ascertaining you, that whereas ye were in doubt what is meant by the protestation spoken of in my former letters and your instructions, it was none other thing than in the same instructions was plainly specified and declared; that is to say, failing of all your requests and pursuits touching the king's great matter, to have shewed unto his holiness the danger that might ensue, by losing the entire favour of this prince, by mean of his so strange and unkind dealing with his grace; howbeit, considering in what state the things now be, and how much the pope's holiness seemeth to be inclined to the emperor's part; and yet as appeareth both by your letters, and by such other knowledge as the king hath, his holiness would gladly conserve the king's love and favour, and is loth to do any thing to the prejudice of his cause: it is no time to come to any rigorous or extream words with his holiness, but in gentle and modest manner to shew ^ehimself such words as be mentioned in my said last letters sent by Thadeus; and so without irritation of him, but with conservation of his favour to entertain his holiness in the best manner that may be, without meddling in any other protestation, but only to look what may be done touching such ^fprotestation apart, as is mentioned in the said instructions given to Mr. Bennet, which with these letters shall be a sufficient information of you all, what to do in the causes to you committed, not doubting but in all other particular suits of bulls, and other things committed unto you, ye Mr. Stevins and sir Francis Bryan, have or will do your best to bring the same with you; the expedition whereof, if they be not sped already, the king's highness committeth to the wisdoms of such of you as shall fortune to be in the court of Rome at the receipt hereof; wherein, and in all other things, his highness trusteth, and I do the semblable,

^e himself in such^f protestations

BOOK that ye will order your selves with all effectual diligence, as
II. the special confidence that is put in you doth appertain.

And forasmuch as the greatest thing that is to be looked unto is the importune suit of the Cæsareans, not only to stop any further things to be granted to the king's highness, but also to revoke the commission given to the lord legate Campegius and to me, which should be a clear disappointment and frustration of the king's cause ; ye shall therefore look substantially by all politick means to withstand, that no such thing be granted ; assuring the pope and all the cardinals, and such other as have respect to the weale of the see apostolick, that if he should do such an high injury to the king and his realm, and an act so contumelious to us his legates, and so contrarious to his faith and promise, he should thereby not fail so highly to irritate the king and all the nobles of this realm, that undoubtedly they should decline from the obedience of the see apostolick, and consequently all other realms should do the semblable, forasmuch as they should find in the head of the same, neither justice, uprightness, nor truth ; and this shall be necessary, as the case shall require, well to be inculked and put in his head, to the intent his holiness by the same may be preserved from granting, passing, or condescending to any such thing.

After these letters perfected hither, and read unto the king's highness, albeit that mention is made in sundry places heretofore, that as well ye Mr. Stevins, and sir Francis Brian, if ye be not returned from the court of Rome, as also the rest of the king's ambassadours, which at the arrival of Mr. doctor Bennet shall fortune to be there, shall forbear to make any further means or pursuit for the new commission and pollicitation, but clearly to use silence therein ; yet nevertheless regarding, and more profoundly considering the effect of your letters last sent, it doth plainly appear, that tho' after the overture made to the pope's holiness of the said new commission, the business chanced to be made by the emperor's ambassador, upon preferring a sup-

r well

plication for advocation of the cause ; which thing by your writing, Mr. Stevins, to Capisuke was well avoided ; yet was there none express refusal made by the pope's holiness to condescend unto the said new commission, but order given that you should consult and confer with the cardinal Anconitane and Symonette upon the same ; which conference, by means of the said business, was deferred and disappointed, without any final conclusion or resolution taken thereupon. Wherefore inasmuch as yet there appeareth none utter despair of obtaining the said new commission and pollicitation, with some more fat, pregnant, and effectual clauses than the other hath ; the king's pleasure is, that notwithstanding any words before mentioned, both ye the said Mr. Stevins, and sir Francis Brian, if ye be not departed from the court of Rome, do for the time of your demur there, which the king's pleasure is shall not be long, but only for taking of your leave ; and also the rest of the king's said orators, after your departure, shall, as ye shall see the case ^hto require, endeavour your selves as much as may be, to obtain the said new commission and pollicitation, foreseeing always that you handle the matter after such manner, as thereby the pope be not the rather induced to bearken and incline to any pursuits of the imperials for advocation of the cause, which were a total frustration of all the king's intent, but so to use your selves, as ye shall see to be to the benefit, and not to the hindrance thereof : which done, the king's grace doth refer the good handling of this thing to your wisdoms and discretions, neither to leave the pursuit for the said commission and pollicitation, if it may without damage be followed ; nor to follow it, if thereby you shall see apparent danger of any such advocacy, or advantage to ensue to the purpose of the imperialists, like as his highness doubteth not, knowing now the king's mind and pleasure, you will with wisdom and dexterity, order your selves herein accordingly.

And furthermore, you shall in any wise dissuade the pope for sending either by his nuntio, to be sent unto

^h to om.

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Spain, or otherwise, for the original brief: and if the nuntio be already passed, having charge to speak for sending the same to the court of Rome, then to find the means that a commandment be by the pope's holiness sent after him, not to make any mention thereof: 'whereunto you the king's said ambassador shall have a good colour to induce the pope's holiness, saying, as of your self, that you have well considered your own pursuits for producing the brief at Rome; and because the emperor might per-case think that the pope were about to arect unto him the ^kfalsifying of the said brief, therefore you can be contented that that matter be put off, and no mention to be made thereof by his ^lrescripts, nuntio, or otherwise; whereunto it is not to be doubted but the pope's holiness will have special regard, and facilly condescend to your desires in that behalf.

Finally; It appeareth also by certain your letters sent, as well to the king's highness as to me, that the pope's holiness is much desirous to study and find a mean and way to satisfie the king's highness in this behalf: amongst which one clause in his letters to me is this; *Tametsi enim jurisperitorum consilium quæsierimus, sed nihil reperimus, quod bonis oratoribus simul et justitiæ ac honori nostro satisfaceret; sed tamen agimus omnia et tentamus omnes modos* ^m*regiæ serenitati, ac circumspeditioni tuæ satisfaciendi.* (And it is added in the margin, with Wolsey's hand;

Mi Petre, referas tuis literis pervelim quid tibi et mihi pontifex dixerit de modis excogitandis, et quomodo subridens dicebat, In nomine patris, &c.)

Wherefore since his holiness so plainly declared, that he seeketh the ways and means to satisfie the king's highness, it shall be in any wise expedient, that you the said orators perceiving any towardness of advocacy, lay this to the pope's holiness, saying, that that is not the way to satisfie his grace; and yet besides that, by your wisdoms to find the means to understand and know of his holiness what be

^l which done to ^k falsity ^l rescripts, om. ^m *regiæ suæ serenitati,*

the ways and means, which his holiness hath studied or can study to satisfie the king according to his writing in this behalf, whereof they shall say his grace is glad, and is very desirous to know and understand the same; and as you shall perceive any towardness or untowardness in the pope in that behalf, so to set forth your pursuits to the best purpose accordingly. And thus heartily fare you well. From Richmond, the 21 day of May.

Your loving friend,
T. Cardin. Eborac.

XXVI.

May 31. Romæ 1529.

A letter of the pope's to the cardinal. An original.

Dilecto filio nostro Thomæ tituli sanctæ Cecilie presbytero, cardinali Eboracensi, nostro et sedis apostolicæ legato de latere.

(Clemens manu propria.)

DILECTE fili noster, salutem et apostolicam benedictionem. Cum Angliæ rex ac circumscriptio vestra, vetera vestra erga nos et sedem apostolicam merita novis officiis augeretis, ^aoptabamus occasionem, in qua et vos nostrum amorem cognoscere possetis; sed molestissime tulimus eam primum esse oblatam, in qua circumsepti angustis terminis justitiæ, non possemus progredi quantum vellemus, studio vobis gratificandi, multis ac rationabilibus causis desiderium vestrum impredientibus, quod quidem regiis oratoribus istuc redeuntibus demonstrare conati sumus. Sed super his et publicis negotiis copiosius vobiscum loquetur dilectus filius noster cardinalis Campegius. Datum Romæ die ultima Maii, 1529.

Cotton lib.
Vitell.
b. 11.
fol. 138.

J.

^a optabimus

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XXVII.

April 6. 1529.

The king's letter to his ambassadours, to hinder an avocation of the suit. An original.

By the king.

Henry Rex.

Cotton lib.
Vitell.
b. 11.
fol. 92.

TRUSTY and right well-beloved we greet you well. Since your departure from hence, we have received sundry your letters to us directed, whereof the last beareth date at Rome, the 4th day of the last month; and have also seen such other as from time to time ye have sent to the most reverend father in God, our most entirely well-beloved counsellor the lord legate, cardinal, arch-bishop of York, primate of England, and our chancellour: by continue whereof, we have been advertised of the successes, as well of your journey thitherwards, as of such things as ye to that time had done in our causes to you committed; for the which your diligent advertisement, and good acquittal, we give unto you condign thanks: ascertaining you, We do not a little marvel, that in your said last letters ^aye shew so much desperation of any great favour to be had at the pope's hand in our said causes; considering that neither ye then had spoken with his holiness in the same, ^bne by such conferences as ye had had with ^cMesser Jacobo Salviati, or other on his behalf, we can perceive but all good favour and towardness; tho' per-case the superiority of the imperials, and the common fame, led you to think the contrary: howbeit as you know no credence is to be given unto such common report, nor we trust the same shall prove more true, than hath done the opinion that was of the lord legate Campegius now here resident, whom we find and certainly know to be of a far other sort in his love and inclination towards us, than was spoken, not having such affection towards the emperor, as in him was suspected. And to be plain with you, if ever he had been of other mind, we have

^a you^b nor^c Mr.

said somewhat to him after such manner as might soon change that intention. So that little faith is to be given to the outward sayings and opinions of such people as measure every thing at their pleasure; which we doubt not but ye right wisely do consider, and that ye have before this time, by your diligent sollicitation made to speak with the pope's holiness for declaration of your charge, proved the contrary. Whereof we shall be glad and joyous to hear; willing and desiring you therefore, according to the great and special confidence that we have in you, to pretermitt no time in the diligent handling and execution of your said charge, but by one good way or other to find the mean, if ^dye have not already done it, to declare the same unto the pope, wherein the good advice and address of the bishop of Verone shall, we trust, do you great furtherance; and by whose means, if ye for the pope's extreme debility or sickness, might in no wise be often admitted unto his presence, ye may signifie unto him at great length, our whole mind, desire, and intent, after such form as your instructions and letters given and sent unto you in that behalf do purport: for sure ye may be, it shall highly confer unto the benefit of our causes, that ye have there present one so fast and assured friend unto us, as we trust the ^esaid bishop of Verone is, who shall be able right largely to countervail, and meet with the malicious practises of the archbishop of ^fCapuan, who is thought to be one of the chief authors and contrivers of the falsities, crafts, and abuses, set forth to the hindrance of our said causes; which no man shall more politickly and facilely deprehend, than the said bishop of Verone may do: and therefore he is by you, with all good means and ways possible, to be entertained; as we doubt not but ^gye will have special eye and regard to the making, winning, and conservation of as many friends to our purpose as ye can possibly ^hattain; so handling your self, as now may appear your dexterity and perfect endeavour to conduce, with your diligent labour and policy, our matters to the speedy, indelayed, and desired end and effect, which

^d you^e said *om.*^f Capua,^g you^h obtain;

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ye may be sure we shall not put in oblivion, but will have the same in remembrance accordingly. Marvelling nevertheless, that though ye Mr. Stevens could not bring hitherto our great causes to perfection, ye had not in the mean season advertised us what is done touching such bulls as were to be sped for our other particular matters, whereof no mention is made in your said letters; willing and desiring you therefore, by your next letters, to advertise us in what state and train the same be; knowing right well that ye, being not only ¹by former letters and writings, but also by such as be sent unto you at this time sufficiently and amply instructed of our mind and pleasure, will now so acquit your self, as shall correspond to the perfect expectation, and firm opinion that we have of you, which we shall not fail to have in our tender consideration to your ²weale, as is afore-said. ¹Ye shall also, in your conferences with the said bishop of Verone, understand and know of him, by what ways and means ye may best further his advancement to the cardinality; exhorting him, for the manifold good effects that thereof may ensue, to conform himself to the acceptance thereof, if it may be obtained; for doubtless his vertue, wisdom, experience, fidelity, and other great and commendable merits well considered, we think no man more meet at this time to be preferred thereunto than him: and therefore our express mind and pleasure is, that ye [do it] by all the ways and means to you possible. And finally we will that ye show unto him how effectually we have written unto you in that behalf, to the intent, being advanced thereunto, he may give us the better thanks, and in every way bear to us the more perfect affection. And by your next letters, we will that ye advertise us what advocates ye have on our part, with their names and qualities; finding the means also, if it be possible, to retain some notable and excellent divine, a frier, or other that may, can, or will firmly stick to our causes, in leaning to that, *quod pontifex ex jure divino non potest dispensare*, &c. and of all

¹ by the former² well,¹ You

the successes to advertise us, as our special trust is in you. **BOOK**
 Given under our signet, at our mannor of Greenwich, the **II.**
 6th ^m of April.

XXVIII.

*The king's letter to his ambassadours, about his appearance
 before the legates. An original.*

June 23. 1529.

To our trusty and right well-beloved counsellors, Mr. William Bennet, doctor of both laws; sir Gregory de Cassalis, knight; and Mr. Peter Vannes, our secretary for the Latine tongue, our ambassadours, resident in the court of Rome, and to every of them.

By the KING.

Henry R.

TRUSTY and right well-beloved, we greet you well. By former letters and writings sent to you, sir Gregory and Mr. Peter, with other of your colleagues then being at Rome, and by such conference as was had with you Mr. Bennet before your departure, ^aye were advertised in what state then stood our cause and matter of matrimony, and how it was intended that the process of the same should with diligence be commenced before the pope's legates here, being authorized for that purpose. Since that time, ensuing the deliberation taken in that behalf, the said legates, all due ceremonies first observed, have directed citations both to us and to the queen, for our ^band her appearing before them the 18th ^cday of this month: which appearance was duly on either party kept, performed, and all requisite solemnities accomplished: at which time the queen trusting more in the power of the imperialists, than in ^dany justness of her cause, and thinking of likelihood, by frustratory allegations and delays, to tract and put over the matter to her advantage, did protest at the said day, putting in libels, recusatories of the judges; and also made a provocation, alledg-

^a of this April. ^a you ^b and for her ^c day *om.* ^d the

Cotton lib.
 Vitell. b.
 II. fol. 163.

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II.

ing the cause to be avoked by the pope's holiness, *et litis pendentiam coram eodem*; desiring to be admitted for probation thereof, and to have a term competent for the same: whereupon day was given by the judges till the 21 of the same month, for declaration of their minds and intentions thereunto; the queen in person, and we by our proctor enjoined to appear the same day, to hear what the said judges should determine in and upon the same. At which time both we and the queen appeared in person; and notwithstanding that the said judges amply and sufficiently declared, as well the sincerity of their minds directly and justly to proceed without favour, dread, affection, or partiality; as also that no such recusation, appellation, or term for proving of *litis pendentiam*, could or might be by them admitted: yet she nevertheless persisting in her former wilfulness, ^flayd in her appeal, which also by the said judges was likewise recused: and they minding to proceed further in the cause, the queen would no longer make her abode to hear what the said judges would fully discern, but incontinently departed out of the court; wherefore she was thrice preconnisate, and called eft-soons to return and appear; which she refusing to do, was denounced by the judges contumax, and a citation decerned for her appearance on Friday next, to make answer to such articles and positions as should be objected unto her: so as now it is not to be doubted, but that she will use all the ways and means to her possible, to impetrate and attain such things as well by her own pursute, as by her friends, as may be to the impeachment of the rightful process of this cause, either by advocacy, inhibition or otherwise: wherefore seeing now in what state this our matter standeth and dependeth, necessary and requisite for the great consequences hanging upon the same, not only for the exoneration of our conscience, but also for the surety of our succession, and the ^sweale of this our realm and people, to be with all ^celerity perfected and ^hobsolved; it was thought convenient to advertise you of the premisses, to the intent ye being well and

^c and *om.*^f and^s well^h observed;

sufficiently instructed in all things concerning the same, shall by your wisdoms and diligences have special regard that nothing pass or be granted there by the pope's holiness, which may either give delay or disappointment to the direct and speedy process to be used in this cause, neither by advocacy of the cause, inhibition or otherwise; but that if any such thing shall, by the Cæsareans, or by her agents, or other, be attempted, or desired, the like men of wisdom, good zeal, learning, and experience, diligently procure the stopping thereof, as well upon such reasons and considerations as before have been signified unto you, as by inferring the high and extream dishonour, and intolerable prejudice that the pope's holiness thereof should do to his said legates; and also the contrariety both of his bull and commission, and also of his promise and pollicitation passed upon the same; beside the notable and excellent displeasure thereby to be done by his holiness to us, and our realm, clear contrary to our merits and deserts; extending also the other dangers mentioned in the said former writings, apparent to ensue thereby to his holiness, and the see apostolick, with the manifold, and in manner, infinite inconveniencies like to follow of the same to all Christendom, and all other such reasons, introductions and perswasions ⁱas ye can make and devise for that purpose: putting him also in remembrance of the great commodity coming unto his holiness herein, by reason that this cause being here decided, the pope not only is delivered from the pains that he should in this time of disease and sickness, to the extream peril of his life, sustain with the same, seeing that it is of such moment and importance, as suffereth no tract or delay; but also his holiness shall by such decision here eschew and avoid all displeasure that he should not fail to have, if it were or should be passed elsewhere: which matter is no little wisdom well to foresee and consider, and not only to forbear to do or pass any thing derogatory or prejudicial to his said commission, but also by all means possible to corroborate and fortifie the same, and all such acts judicial as shall pass by his said le-

ⁱ as *om.*

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gates by virtue thereof. Like as we doubt not but that the pope's holiness, of his uprightness, vertue, and perfect wisdom will do ; and rather like a most loving father and friend, tender and favour our good, just and reasonable causes and desires, putting thereunto all the furtherance he may do, than to do or consent to be done any thing hurtful, prejudicial, dammageable, or displeasing unto us, or this our said cause. And finally ; if need shall be, we will ye also infer, as the case shall require, how inconvenient it were this our matter should be decided in the court of Rome ; which now dependeth totally in the emperor's arbitre, having such puissance near thereunto, that, as hath been written by the pope's own letters, their state and life there is all in the emperor's hands, whose armies may famish or relieve them at their pleasure. And seemably ye shall not forget the prerogative of our crown and jurisdiction royal, by the ancient laws of our realm, which admitteth nothing to be done by the pope to the prejudice thereof, and also what danger they should incur that would presume to bring or present any such thing unto the same, as in our last letters sent by Alexander was touched at good length. Wherein since ye be already so well and amply instructed, knowing also how much the matter ^kimporteth and toucheth us, and what profit and agreeable service ye may do unto us herein, with the high thanks that ye may deserve for the same ; we shall not be more prolix, but refer the substantial, perfect, and assured handling hereof to your circumspections, fidelities, and diligences, not doubting but that ye will now above all other things, look vigilantly hereunto, and so acquit your ^lself in the same, as it may well appear that your acts shall be correspondent to our firm trust and expectation, and no less tender this thing than ye know it to be imprinted in the bottom of our heart, ^mne than as ye know both the importance and high moment, and also the very necessity of the matter doth require. In which doing, beside the laud and praise that ye shall consecute thereby of all good men, we shall so have your acquittals in

^k imports^l selves^m nor

our remembrance, as ye shall have cause to think your travels, pains, and studies herein, in the best wise collocate and employed. Given under our signet, at our ^aplace of Bridewel, the 23d day of June.

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XXIX.

Rome 9. July 1529.

Doctor Bennet's letter to the cardinal, shewing how little they might expect from the pope. An original.

°PLEASETH it your grace to understand, that the 6th day of this month the pope's holiness sent for us: Albeit we had made great sute for audience before to his holiness, soon after that we had understanding that his holiness was recovered of this his last sickness, into the which he fell the second day, after ^pthat I had my first audience of his holiness, which was the 21. day of the last month: and after our long communication and reasoning in the king's highness cause, which, at length, we have written to your grace in our common letter, for a confirmation of many inconveniences and dangers which we perswaded to his holiness, to follow both to himself and to the see apostolick, in case his holiness should avoke the cause; I thought much convenient at that same time to deliver the king's familiar, and likewise your grace's letter, and so to shew your grace's credence to his holiness. After the foresaid letters delivered, and by his holiness read, his holiness shewed me, that he perceived by your grace's letters, that I had certain credence to shew unto him of great moment and importance, concerning him and the see apostolick. I shewed to his holiness ^qthat your grace's faith and observance, his holiness doth best know; most humbly besought his holiness to beleive these undoubtedly to follow, That if his holiness should, at the labours of the Cæsareans, avoke the cause, he should not alonly offend the king's highness, which hitherto hath

Cotton lib.
Vitell. b.
11. fol. 192.

^a palace

° PLEASE

^p that om.

^q that om.

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been a stay, a help, and a defence of the see apostolick ; but also by reason of this injury, without remedy, shall alienate his majesty and realms, with others, from the devotion and obedience of the see apostolick. This I shewed his holiness, that your grace doth evidently perceive to follow, in case his holiness should incline to the Cæsareans desire on this behalf: yea further, I said, that your grace most clearly perceiveth also by that act, the church of England utterly to be destroyed, and likewise your person; and that these your grace, with weeping tears, most lamentably committed unto me to shew to his holiness. Furthermore I shewed to his holiness, that your grace, howsoever you should proceed in this cause, did intend to proceed so sincerely, indifferently, and justly, that you would rather suffer to be jointed, joint by joint, than either for affection or fear, do any act either against your conscience or justice. Furthermore I said, that seeing his holiness may be so well assured, that your grace will do nothing but according to justice in this cause, [he] may the more boldly deny the avocation to the Cæsareans, seeing that the queen and the emperor can desire but justice, which they may have at your grace's hand, and my lord Campegius, as well there as here; and by this means his holiness should deliver himself from great pains and unquietness of mind, which he should sustain in case the cause should be known here, where he should have the king's highness on one part, and the emperor on the other side, daily calling upon his holiness. To this his holiness most heavily, and with tears, answered and said, That now he saw the destruction of Christendom, and lamented that his fortune was such to live to this day, and not to be able to remedy it, (saying these words) For God is my judge, I would do as gladly for the king, as I would for my self; and to that I knowledge my self most bounden, but in this case I cannot satisfie his desire, but that I should do manifestly against justice to the charge of my conscience, to my rebuke, and to the dishonour of the see apostolick; affirming, that his counsel shews him, that seeing the Cæsareans

⁊ deny avocations

have a mandate or proxie of the queen, to ask the avocations in her name, he cannot of justice deny it, and the whole signature be in that same opinion; so that though he would most gladly do that thing that might be to the king's pleasure; yet he cannot do it, seeing that signature would be against him whensoever the supplication should be up there: and so being late, we took our leave of his holiness, and departed, seeing that we could obtain nothing of the pope for stopping the avocation, we consulted and devised for the deferring of it, till such time as your grace might make an end in the cause there. And so concluded upon a new device, which at length we have written in our common letter, wherein I promise your grace, Mr. Gregory has used great diligence, and taken great labours at this time, we can do no more for our lives: and if your grace saw the importune labour of the ambassadours of the emperor's and Ferdinandoes, you would marvel, I promise your grace they never cease; wherefore in staying hitherto, as we have done, it is marvel, as God knoweth, who[us I pray to] preserve your grace in health and prosperity *ad multos annos*. I beseech your grace most humbly to commend me to the king's highness; and likewise I beseech your grace to pardon my ill writing. At Rome the 9th day of July.

Your daily beadman
and servant,

W. Benet.

XXX.

A letter of the pope's to the cardinal concerning the avocation. An original.

19. Julii, 1529.

DILECTE fili noster, salutem et apostolicam benedictionem. Difficile est nobis explicare literis, qua nostra molestia seu potius dolore fuerimus coacti ad avocationem causae istic commissae concedendam; nam etsi res ita fuit justa ut

Cotton lib.
Vitell.
b. II.
fol. 208.

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tanto tempore differri non debuerit, tamen nos qui isti serenissimo regi pro ejus singularibus erga nos et apostolicam sedem meritis placere in omnibus cupimus, sicut consuevimus, ægre nunc adducti sumus, ut quamquam justitia cogente, quicquid contra ejus voluntatem concederemus. Nec vero minus, fili, doluimus tua causa cui rem hanc tantæ curæ esse perspeximus quantum tua erga dictum regem fides et amor postulat; sed tamen quod datur justitiæ minus esse molestum debet, cum præsertim id fuerit tam dilatatum à nobis, omniaq; antea pertentata ne ad hoc descenderemus. Itaq; optamus in hoc adhiberi à te illam tuam singularem prudentiam et æquitatem, persuadereq; te tibi id quod est, nos, qui semper vobis placere quantum nobis licuit studuimus, id quod vestro maximo merito fecimus, et semper facturi sumus, nunc non nisi invitos et justitia coactos quod fecimus, fecisse: teq; omni studio et amore hortamur, ut dictum regem in solita erga nos benevolentia retinere velis, eique persuadere, nihil ex hoc apud nos de benevolentia erga se veteri imminutum unquam fore, quod recipiemus à circumspectione tua longe gratissimum. Quemadmodum plenius dilectus filius noster cardinalis Campegius hæc circumspectioni tuæ explicabit. Dat. Romæ apud sanctum Petrum sub annulo piscatoris die 19. Julii 1529. pont. nostri anno sexto.

Blosius.

XXXI.

Act 26. anno regni 21. Henr. 8.

An act for the releasing unto the king his highness of such sums of money as was to be required of him, by any his subjects, for any manner of loan, by his letters missives, or other ways or manner whatsoever.

ITEM quædam alia billa formam cujusdam actus in se continens, exhibita est præfato domino regi in parlamento prædicto, cujus quidem billæ tenor sequitur in hæc verba:
The king's humble, faithful, and loving subjects the lords

spiritual and temporal, and commons in this present parliament assembled, considering and calling to their remembrances, the inestimable costs, charges, and expences, which the king's highness necessarily hath been compelled to support and sustain, since his assumption to his crown, estate, and dignity royal; as well first for the extinction of a right dangerous and damnable schism sprung and risen in the church; which by the providence of Almighty God, and the high prudence, and provision, and assistance of the king's highness, was, to the great honour, laud, and glory of his majesty, repressed; the enemies then being of the church reformed, returned, and restored to the unity of the same, and peace over all componed and concluded, as also for the modyfying of the insatiable and inordinate ambition of those which do aspire unto the monarchy of Christendom, did put universal trouble and divisions in the same, intending, if they might, not only to have subdued this realm, but also all the rest unto their power and subjection: for the resistance whereof, the king's highness was compelled, after the universal peace, by the great study, labour, and travel of his grace conduced, and the same by some of the contrahents newly violate and infringed; in shewing the form of the treatise thereupon made again, to take armour. And over and besides the notable and excessive treasure and substance which his highness in his first wars had employed for the defence of the church, the faith catholick, and this his realm, and of the people and subjects of the same, was eftsoons brought of necessity to new, excellent, and marvellous charges, both for the supportation of sundry armies by sea and by land; and also for divers and manifold contributions outward, to serve, keep, and contain his own subjects at home in rest and repose; which hath been so politickly handled and conduced, that when the most part of all religious Christians have been infested with cruel wars, discords, divisions, and dissensions, the great heads and princes of the world brought unto captivity; cities, towns, and places, by force and sedition, taken, spoiled, burnt, and sacked; men, women, and chil-

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dren found in the same slain and destroyed; virgins, wives, widows, and religious women, ravished and deflowered; holy churches and temples polluted, and turned unto prophane use; the reliques of the holy saints irreverently treated; hunger, dearth, and famine, by mean thereof in the said outward regions, insuing and generally over all, was depopulation, destruction and confusion; the king's said subjects in all this time, were by the high providence and politick means of his grace nevertheless preserved, defended, and maintained, from all these inconveniences and dangers; and such provisions taken, by one way or other, so as reasonable commodity was always given unto them to exercise their traffiques of merchandise, and other their crafts, mysteries, and occupations for their living; which could not possibly have been brought about, unless then the king's highness, with continual studies, travels, and pains, and with his infinite charges and expences, had converted the peril and danger of the enterprises and exploits, set forth for the reduction of the enemies unto peace, from his own subjects unto strangers: whereof finally such fruit and effect is ensued, as by the king's policy, puissance, and means, general and universal peace is established amongst all Christian princes; and this realm now, thanked be God, constitute in free, better, and more assured and profitable amity with all outward parties, than hath been at any time whereof is memory or remembrance. Considering furthermore, that his highness, in and about the premisses, hath been fain to imploy, not only such sums of mony as hath risen and grown by any manner of contribution made unto his grace by his said loving subjects; but also over and above the same, sundry other notable and excellent summs of his own treasure, and yearly revenues, which else his grace might have kept and reserved to his own use; amongst which manifold great summs so employed, his highness also, as is notoriously known, and as doth evidently appear by the accompts of the same, hath to that use and none other, converted all such money, as by any his subjects and people spiritual and temporal, hath been advanced unto his

grace by way of prest and loan, either particularly, or by any taxation made of the same, being a thing so well collocate and bestowed, seeing the said high and great fruits and effects thereof ensued, to the honour, surety, well, perfect commodity, and perpetual tranquillity of this said realm, as nothing could better nor more to the comfort of his said subjects be desired, studied, or imagined; of one mind, consent and assent, and by authority of this present parliament, do for themselves, and all the whole body of the realm whom they do represent, freely, liberally, and absolutely, give and grant unto the king's highness, by authority of this present parliament, all and every sum and sums of money, which to them, and every of them, is, ought, or might be due, by reason of any money, or any other thing, to his grace at any time heretofore advanced, or payed, by way of prest or loan, either upon any letter or letters under the king's privy seal, general or particular, letter missive, promise, bond, or obligation of payment, or by any taxation, or other assessing, by vertue of any commission or commissions, or by any other mean or means whatsoever it be heretofore passed for that purpose, and utterly, frankly, liberally, and most willingly and benevolently, for them, their heirs, executors, and successors, do remit, release, and quit claim, unto his highness, his heirs, and successors for ever, all and every the same sums of money, and every parcel thereof, and all and singular suits, petitions, and demands, which they, or any of them, their heirs, successors, or executors, or the heirs, executors or successors of any of them, have, had, or may have for the same, or any parcel thereof; most humbly and lovingly beseeching his highness, for the more clear discharge for the same, that it may be ordained and enacted by the king, our said sovereign lord, the lords spiritual and temporal, and the commons of this present parliament assembled, and by authority of the same, that all promises, bonds, writings, obligatory letters, under the king's privy seal, signet, sign manual, or great seal passed, and other bonds or promises, whatsoever they be, had, made, to any person or persons,

BOOK spiritual or temporal, shire, city, burrough, waxentale,
II. tranship, hamlet, village, monastery, church, cathedral, or
 collegiate, or to any guild, fraternity, or body corporate,
 fellowship, or company, or other whatsoever, having capa-
 city to take any bond especially and generally, jointly or
 severally, touching or concerning the same prest or loan, or
 every of them, or the repayment of any sum or sums of mony
 for the same, be from henceforth void and of none effect.
*Cui quidem billæ probe et ad plenum intellectæ per dictum
 dominum regem ex assensu et autoritate parlamenti præ-
 dicti taliter est responsum. Le roy remercie les seigneurs
 et ses communes de leur bonne cœurs en faisant cest graunt,
 et icelle sa majeste accepte et tout le contenu, et cest es-
 criture a graunt et aprove avecques tous les articles en
 ceste escripture specifies.*



XXXII.

*A letter from Gardiner and Fox, about their proceedings
 at Cambridg. An original.*

Feb. 1530. from Cambridg by Stephen Gardiner.

To the king's highness.

Cotton lib.
 Vitell.
 b. 13.
 fol. 51.

PLEASETH it your highness to be advertised, that arriv-
 ing here at Cambridge upon Saturday last past at noon,
 that same night, and Sunday in the morning, we devised
 with the vice chancellor, and such other as favoureth your
 grace's cause, how and in what sort to compass and attain
 your grace's purpose and intent; wherein we assure your
 grace, we found much towardness, good will, and diligence,
 in the vice-chancellour and Dr. Edmunds, being as studious
 to serve your grace as we could wish or desire: nevertheless
 there was not so much care, labour, study, and diligence im-
 ployed on our party, by them, our self, and other, for attain-
 ing your graces purpose, but there was as much done by
 others for the lett and impeachment of the same; and as
 we assembled, they assembled, as we made friends they

made friends, to lett that nothing should pass as in the universities name; wherein the first day they were superiors, for they had put in the ears of them, by whose voices such things do pass, *multas fabulas*, too tedious to write unto your grace. Upon Sunday at afternoon were assembled, after the manner of the university, all the doctors, batchelors of divinity, and masters of art, being in number almost two hundred: in that congregation we delivered your grace's letters, which were read openly by the vice-chancellor. And for answer to be made unto them, first the vice-chancellor calling apart the doctors, asked their advice and opinion; whereunto they answered severally, as their affections led them, *et res erat in multa confusione*. *Tandem* they were content answer should be made to the questions by indifferent men: but then they came to exceptions against the abbot of St. Benets, who seemed to come for that purpose; and likewise against Dr. Reppes, and Dr. ^aCrome; and also generally against all such as had allowed Dr. Cranmer's book, inasmuch as ^balready they had declared their opinion. We said thereunto, that by that reason they might except against all; for it was lightly, that in a question so notable as this is, every man learned hath said to his friend as he thinketh in it for the time; but we ought not to judge of any man, that he setteth more to defend that which he hath once said, than truth afterward known. Finally, the vice-chancellor, because the day was much spent in those altercations, commanding every man to resort to his seat apart, as the manner is in those assemblies, willed every man's mind to be known secretly, whether they would be content with such an order as he had conceived for answer to be made by the university to your grace's letters; whereunto that night they would in no wise agree. And forasmuch as it was then dark night, the vice-chancellor continued the congregation till the next day at one of the clock; at which time the vice-chancellor proponed a grace after the form herein inclosed; and, it was first denied: when it was asked again, it was even on both

^a Crome;^b they had already

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parties, to be denied or granted ; and at the last, by labour of friends to cause some to depart the house which were against it, it was obtained in such form as the schedule herein enclosed purporteth ; wherein be two points which we would have left out ; but considering by putting in of them, we allured many, and that indeed they shall not hurt the determination for your grace's part, we were finally content therewith. The one point is that where it was first, that *quicquid major pars* of them that be named *decreverit*, should be taken for the determination of the university. Now it referred *ad duas partes*, wherein we suppose shall be no difficulty. The other point is, that your grace's question shall be openly disputed, which we think to be very honourable ; and it is agreed amongst us, that in that disputation, shall answer, the abbot of St. Benets, Dr. Reppes, ^cand I and Mr. Fox, to all such as will object any thing or reason against the conclusion to be sustained for your grace's part. And because Mr. Doctor Clyffs hath said, that he hath somewhat to say concerning the canon-law ; I your secretary shall be ^dadjoyned unto them for answer to be made therein. In the schedule which we send unto your grace herewith, containing the names of those who shall determine your grace's question, all marked with [the letter] A. be already of your grace's opinion ; by which we trust, and with other good means, to induce and ^eattain a great part of the rest. Thus we beseech Almighty God to preserve your most noble and royal estate. From Cambridge the day of February.

Your highness's most humble

Subjects and servants

Stephen Gardiner,

Edward Foxe.

^c and *om.*

^d adjourned

^e obtain

The grace proposed and obtained, Feb. 1530.

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Placet vobis ut

A. Vicecancellarius.

Doctores.

A. Salcot. The abbot of St.
Benets.

Watson.

A. ^aReps.

Tomson.

Venetus, *de isto bene spe-*
ratur.

A. Edmunds.

^bDownes.

A. Crome.

A. Wygan.

A. Boston.

Magistri in Theologia.

^cMyddleton.

A. Heynes.

Mylsent, *de isto bene spe-*
ratur.

A. Shaxton.

A. ^dLatymer.

A. Simon.

Longford, *de isto bene*
speratur.

Thyxtel.

Nicols.

Hutton.

A. Skip.

A. Goodrich.

A. Heth.

^eHadwey, *de isto bene*
speratur.

Dey.

Bayne.

A. A. Duo Procuratores.

Cotton lib.
Vitell. b.
13. fol. 53.

HABEANT plenam facultatem et ^f auctoritatem, nomine totius universitatis, respondendi literis regie majestatis in hac congregatione lectis, ac nomine totius universitatis definiendi et determinandi quæstionem in dictis literis propositam: ita quod quicquid duæ partes eorum præsentium inter se decreverint, respondendi dictis literis, et definierint ac determinaverint super quæstione proposita, in iisdem habeatur, et reputetur pro responsione, definitione et determinatione totius universitatis, et quod liceat vicecancellario, procuratoribus et scrutatoribus, literis super dictarum duarum partium definitione et determinatione concipienda si-

^a Repps.

^b Downs.

^c Middleton.

^d Latimer.

^e Hadway,

^f auctoritatem,

BOOK gillum commune universitatis apponere: sic quod dispu-
II. tetur quæstio publice et antea legatur coram universitate
 absq; ulteriori gratia desuper petenda aut obtinenda.

Your highness may perceive by the notes, that we be already sure of as many as be requisite, wanting only three; and we have good hope of four; of which four if we get two, and obtain of another to be absent, it is sufficient for our purpose.

XXXIII.

July 1. 1530.

A letter from Crook out of Venice, concerning the opinions of divines about the divorce. An original.

Cotton lib.
 Vitell.
 b. 13.
 fol. 91.

PLEASE it your highness to be advertised, that as this day I obtained the common seal of the university of Padua, in substantial and good form; for all the doctors were assembled upon Sunday, and the case was amongst them solemnly and earnestly disputed all Monday, Tuesday, Wednesday, and Thursday, and this present Friday in the morning again: and thereupon they concluded with your highness, and desired a notary to set his sign and hand unto an instrument, by Leonicus and ^aSimonetus devised, in corroboration of your cause, and thereby to testify that this instrument was their deed, device, act, and conclusion; and for the more credence to be given to the said instrument, they caused the chancellor of the potestate here to set his hand and seal for the approbation of the authority of the notary: a copy of all the which things I send unto your highness by this bearer, in most humble wise beseeching the same to be advertised, that the general of the black-friers hath given a commandment, that no black-frier dispute the pope's power; notwithstanding prior Thomas Omnibonus procureth daily new subscriptions, and will do

^a Simonettus

till the brief of contrary commandment shall come unto his hands. BOOK
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My fidelity bindeth me to advertise your highness, that all Lutherans be utterly against your highness in this cause, and have letted as much with their wretched ^bpoor malice, without reason or authority, as they could and might, as well here, as in Padua and Ferrara, where be no small companies of them. I doubt not but all Christian universities, if they be well handled, will earnestly conclude with your highness. And to obtain their assent, as well through Italy, France, ^cAlmeine, Austrich, Hungary and Scotland, I think it marvelous expedient, for the preferment of this your most honourable and high cause; as from the seigniory and dominion of Venice towards Rome, and beyond Rome, I think there can be no more done than is done already. Albeit, gracious lord, if that I had in time been sufficiently furnished with mony, albeit I have beside this seal procured unto your highness an hundred and ten subscriptions, yet it had been nothing in comparison of that that I might easily and would have done; and at this hour I assure your highness, that I have ^dno other provision nor mony, and have borrowed an hundred crowns, the which also are spent about the getting of this seal; of the which my need, and divers impediments in your highness's ^ecauses here, I have advertised your highness by many and sundry letters, and with the same sent divers books and writings, part to Hierom Molins a Venetian, and factor to Mappheus Bernardus by the hands of your subject Edmund ^fHarwel, part directed to Mr. ^gTuke, whereof I am nothing ascertained whether they be exhibited unto your highness or not, to no little discomfort unto me; notwithstanding I have reserved a copy of all things, letters, and other, and herein inclosed a bill, specifying by whom and to whom I directed my said letters, in most humble wise, beseeching your most royal clemency, to ponder my ^htrue service and good endeavours, and not to suffer me to

^b power, ^c Almogn, ^d neither ^e cause ^f Harwel, ^g Toke,

^h true, sure, and

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be destitute of money, to my undoing, and utter loss of your most high causes here: for of my self I have nothing whereby to help my self. And thus the most blessed Trinity keep and preserve your highness in his most royal estate. At Venice, the first day of July at night, anno 1xxx. ^kYour highness shall receive a letter herewith from Simonetus.

XXXIV.

The judgment of the universities concerning the king's marriage; taken from the printed edition of them. London, 1532.

Censura facultatis sacre theologiæ almæ universitatis Parisiensis.

DECANUS et facultas sacre theologiæ almæ universitatis Parisiensis, omnibus, ad quos præsens scriptum pervenerit, salutem in eo qui est vera salus. Cum nuper suborta magnæ difficultatis controversia super invaliditate matrimonii, inter serenissimum Henricum Octavum Angliæ regem, fidei defensorem, et dominum Hiberniæ, ac illustrissimam dominam Catharinam Angliæ reginam, claræ memoriæ Ferdinandi regis catholici filiam contracti, et carnali copula consummati, illa etiam nobis quæstio in justitia, et veritate discutienda et examinanda proposita fuerat, videlicet, An ducere relictam fratris mortui sine liberis sic esset jure divino et naturali prohibitum, ut interveniente summi pontificis dispensatione, non posset fieri licitum, ut quis Christianus relictam fratris ducat, et habeat in uxorem; nos decanus et facultas antedicta, cogitantes, quam esset pium et sanctum, nec-non debito charitatis, et nostræ professioni consentaneum, ut his, qui in lege domini segura, tranquillaque conscientia vitam hanc ducere, et transigere cupiant, viam justitiæ ostenderemus, noluimus tam justis et piis votis deesse. Hinc more solito, apud sedem S. Mathurini per juramen-

¹—30. *R. Crook.*
from Simonetus. *om.*

^k Your highness shall receive a letter herewith

tum convenientes, et solemnī missa cum invocatione Spiritus Sancti ob hoc celebrata, nec non præstito juramento de deliberando super præfata quæstione, secundum Deum et conscientiam; post varias et multiplices sessiones, tam apud ædem S. Mathurini, quam apud collegium Sorbonæ, ab octava Junii usq; ad secundum Julii habitas, et continuatas, perscrutatis prius excussisq; quam diligentissime, ac ea qua decuit reverentia et religione, sacræ scripturæ libris eorumq; probatissimis interpretibus, nec-non sacro-sanctæ ecclesiæ generalibus ac synodalibus concilii decretis et constitutionibus longo usu receptis et approbatis: nos prædicti decanus et facultas de prædicta quæstione disserentes, et ad eam respondentes, sequentes unanime judicium et consensum majoris partis totius facultatis, asseruimus et determinavimus, prout et in his scriptis per præsentes asserimus et determinamus, quod prædictæ nuptiæ cum relictis fratrum decedentium sine liberis, sic naturali jure pariter et divino sunt prohibitiæ, ut super talibus matrimoniis contractis, sive contrahendis, summus pontifex dispensare non possit. In cuius nostræ assertionis et determinationis fidem et testimonium, sigillum nostræ facultatis cum signo nostri notarii, seu bedelli præsentibus apponi curavimus. Datum in generali nostra congregatione per juramentum celebrata apud S. Mathurinum. Anno Domini millesimo quingentesimo trigésimo, mensis vero Julii die secundo.

Censura facultatis decretorum almæ universitatis Parisiensis.

IN nomine Domini Amen. Cum proposita fuisset coram nobis decano et collegio consultissimæ facultatis decretorum Parisiensis universitatis quæstio; An papa possit dispensare, quod frater possit in uxorem ducere, sive accipere relictam fratris sui, matrimonio consummato per fratrem præmortuum? Nos decanus et collegium præfatæ facultatis, post multas disputationes et argumenta hinc inde super hac materia facta ac habita, cum magna et longa librorum, tam divini, quam pontificii et civilis, jurium revolutione consulimus, et dicimus, papam non posse in facto proposito dispen-

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sare. In cuius rei testimonium, has præsentēs sigillo nostræ facultatis, et signo nostri scribæ primi bedelli muniri fecimus. Datum in congregatione nostra apud Sanctum Joannem Lateranensem, Parisiis die vicesima tertia mensis Maii, anno Dom. millesimo quingentesimo trigesimo.

Censura almæ universitatis Aurelianensis.

Cum ab hinc aliquod tempus nobis collegio doctorum regentium almæ universitatis Aurelianensis propositæ fuerint, quæ sequuntur quæstiones, videlicet; Si jure divino liceat fratri relictam fratris (quam fratricam vocant) accipere uxorem? Item et si hoc sit eo jure vetitum, utrum divinæ legis prohibitio pontificali dispensatione remitti possit? Nos prædictum collegium, post multas ad prædictorum dubiorum disputationem, (de more nostro) factas sessiones et congregationes, postque juris tum divini tum canonici locos (quod facere potuimus) examinatos, et omnibus mature atq; exacte pensatis et consideratis: definivimus, prædictas nuptias citra divinæ legis injuriam attentari non posse, etiamsi summi pontificis accedat indulgentia, vel permissus. In cuius rei testimonium præsens publicum instrumentum à scriba præfatæ almæ universitatis subsignari fecimus, ejusdemq; sigillo communiri. Actum in sacello beatæ Mariæ Boninuntii Aurelianensis. Anno Dom. millesimo quingentesimo vigesimo nono, die quinto mensis Aprilis.

Censura facultatum juris pontificii et legum almæ universitatis Andegavensis.

Cum certo ab hinc tempore nobis rectori et doctoribus regentibus in pontificia et legum disciplina almæ universitatis Andegavensis sequentes quæstiones propositæ fuerint, scilicet, Utrum jure divino pariter et naturali illicitum sit homini Christiano relictam fratris sui, etiam absq; liberis, sed matrimonio jam consummato defuncti, ducere uxorem? Et an summo pontifici liceat super hujusmodi nuptiis dispensare? Nos præfati rector et doctores, post plures ad disputationem hujusmodi quæstionum, et veritatem comperendam factas, ex more, congregationes et sessiones, postq;

varios juris tam divini quam humani locos, qui ad eam rem pertinere videbantur, discussos, multas quoque rationes in utramque partem adductas et examinatas, omnibus fideliter consideratis, et matura deliberatione præhabita, definimus neque divino neque naturali jure permitti homini Christiano, etiam cum sedis apostolicæ autoritate seu dispensatione super hoc adhibita, relictam fratris, qui etiam sine liberis post consummatum matrimonium decesserit, uxorem accipere vel habere. In quorum omnium supradictorum fides, præsens publicum instrumentum à scriba seu notario præfatæ almæ universitatis subsignari jussimus, ejusdemque universitatis magno sigillo muniri. Actum in sede sacra Divi Petri Andegavensi, in collegio nostro, anno Domini millesimo quingentesimo tricesimo, die septimo. Maii.

Censura almæ universitatis Bituricensis.

Nos cum decano theologiæ, facultas in universitate Bituricensi (ut doctoris gentium Pauli exemplo plerisque locis auspicemur scriptum nostrum à precatione) omnibus dilectis Dei in quibus vocati estis, lectores charissimi, quique ad quos scribimus, gratia vobis et pax à Deo Patre et Domino nostro Jesu Christo. Dum complerentur dies inter octavas pentecostas, et essemus omnes pariter in eodem loco, corpore et animo congregati, sedentesque in domo dicti decani; facta est nobis rursus questio eadem, quæ sæpius antea, non quidem parva hunc in modum: An rem faciat illicitam necne, frater accipiens uxorem à præmortuo fratre relictam, consummato etiam matrimonio? Tandem rei ipsius veritate disquisita et perspecta, multo singulorum labore, et sacrorum iterata atque iterata revolutione codicum, unusquisque nostrum non fascinatus, quo minus veritati obediret, coepit, prout Spiritus Sanctus dedit, suum hoc unum arbitrium eloqui, abaque personarum acceptione in veritate comperi, personas memoratas in capite Levitici octavo supra decimum prohibitas esse jure ipso naturali, autoritate humana minime relaxabili, et vetitas, ne invicem matrimonium contrahant, quo sit fraternæ turpitudinis abominabilis revelatio. Et hoc nobis signum nostri bedelli notarii publici, cum si-

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gillo dictæ supra nostræ facultatis præsentibus appenso, die decimo Junii, anno vero à Christi nativitate millesimo quingentesimo tricesimo. Ut autem nostræ scriptionis pes et caput uni reddantur formæ, quemadmodum sumus auspicati à precatione, ita claudamus illius quo utimur exemplo. Gratia Domini nostri Jesu Christi, charitas Dei, et communicatio Sancti Spiritus sit cum omnibus vobis. Amen.

Censura almæ universitatis Tholosanæ.

TRACTABATUR in nostra Tholosana academia perquam difficilis quæstio, Liceatne fratri eam, quæ jam olim defuncto fratri uxor fuerat (nullis tamen relictis liberis) in matrimonio sibi conjungere? Accedebat et alius scrupulus, qui nos potissimum torquebat, si Romanus pontifex, cui est commissa gregis Christiani cura, id sua, quam vocamus, dispensatione permittat, tunc saltem liceat? Ad utramque quæstionem agitandam doctores omnes regentes, qui tunc Tholosæ aderant, coegit rector in concilium, neque id semel tantum sed etiam iterum: quippe existimavit præcipitari non oportere consilia, indigereque nos tempore, ut aliquid maturius agamus. Demum, cum in unum locum convenissent omnes, tum sacrarum literarum disertissimi interpretes, tum utriusque censuræ consultissimi, denique qui quavis in re et iudicio et oratione viri foelicibus ingeniis non mediocriter exercitati essent, ac sese sacrosanctis conciliis parere velle, sanctorumque patrum haudquaquam piis animis violanda decreta imitari jurassent, et unusquisque suam sententiam protulisset, atque in utramque partem diffuse decertatum esset; tandem in eam sententiam sic frequentius itum est, ut uno omnium ore alma nostra universitas animis sincerissimis ut nulloque fermento vitiatis censuerit, jure divino pariter et naturali uxorem relictam fratris sui nemini licere accipere. At postquam id lege eadem non licet, responsum est, non posse pontificem aliquem ea lege solvere. Nec huic sententiæ refragari potest, quod cogeretur olim frater uxorem demortui fratris accipere. Nam hoc figura erat, atque umbra futurorum, quæ omnia adveniente luce et veritate evangelii evanuerunt. Hæc quoniam ita se habent, in hanc formam

redegimus, et per notarium, qui nobis est à secretis, signari, sigillique autentici ejusdem nostræ almæ universitatis jussimus appensione communiri. Tholosæ kal. Octob. ann. à Christo nato MDXXX. BOOK
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Censura facultatis sacre theologiæ universitatis Bononiensis.

CUM Deus Optimus Maximus veterem legem ad morum vitæque informationem ac institutionem ore suo tradiderit, idemque humanitate sumpta, mortalium Redemptor Deus novum condiderit Testamentum, sed ad dubia, quæ in multis emergebant, tollenda declarandaque contulerit, quæ ad hominum perfectionem elucidata nonnihil conferunt; nostras partes semper fore duximus hujusmodi sanctissima Patris æterni documenta sectari, et in rebus arduis ac dubitabilibus, superno illustratos lumine, nostram ferre sententiam, ubi causa mature consultata, multisque hinc inde rationibus, scriptisque patrum dilucidata fuerit, nihil quod possumus, in aliquo temere ferentes. Cum itaque nos, præstantes quidam et clarissimi viri, obnixè rogarint, ut subsequenter casum maxima diligentia perscrutaremur, nostrumque subinde in eum judicium ferremus æquissime, soli veritati innitentes, in unum omnes almæ universitatis hujus doctores theologi convenimus, casu prius per unumquemque nostrum sigillatim domibus propriis examinato, summaque solertia per dies plurimos contracto: illud una mox vidimus, examinavimus, contulimus, ad amussimque singula quæque pertractantes ponderavimus, rationes quas-cunque contrarias, quas fieri posse censuimus, in medium afferentes atque solventes, etiam ipsius reverendissimi D. D. card. Cajetani, necnon Deuteronomicam dispensationem de fratris suscitando semine, et reliquas tandem omnes sententias oppositas, quæ ad id negotiî facere viderentur. Quæsitum est igitur à nobis, An ex sola ecclesiæ institutione vel etiam jure divino prohibitum fuerit, ne quis relictam à fratre sine liberis in uxorem ducere valeat? quod si utraque lege ne fieri possit, cautum est, An quenquam possit beatissimus pontifex super ejusmodi contrahendo matrimonio dis-

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pensare? Qua diligentissime (ut diximus) ac exactissime seorsim palamque examinata, ac pro viribus nostris, optime discussa quæstione, censemus, judicamus, dicimus, constantissime testamur et indubie affirmamus, hujusmodi matrimonium, tales nuptias, tale conjugium horrendum fore, execrabile, detestandum, viroque Christiano, immo etiam cui libet infideli prorsus abominabile, atque à jure naturæ divino et humano diris poenis prohibitum. Nec posse sanctissimum papam (qui tamen fere omnia potest) cui collatæ sunt à Christo claves regni cœlorum; non inquam posse aliqua ex causa super hujusmodi contrahendo matrimonio, quenquam dispensare. Ad hujus conclusionis veritatem tutandam, omnes in omnia loca et tempora parati sumus. In quorum fidem has acripsimus, almæque nostræ universitatis ac sacri venerabilium theologorum collegii sigillo munivimus, solita nostra generali subscriptione signantes. Bononiæ in ecclesia cathedrali, decima Junii, anno Dom. M.D.XXX. sub Divi Clementis 7. pontificatu.

Censura facultatis sacre theologiæ almæ universitatis Pataviensis.

TESTANTUR, qui catholicam fidem astruunt, Deum Optimum Maximum legis veteris præcepta filiis Israel ad exemplar vitæ ac morum nostrorum institutionem ore proprio tradidisse, eundemq; trabea humanitatis indutum, Redemptorem omnium factum, Novum Testamentum condidisse, et nedum propter hoc, sed ad dubia quæcunq; emergentia removenda, dilucidandaq; nobis misericorditer condonasse, quæ ad nostri perfectionem enucleata fructus uberes conferunt et salutare. Nostrum semper fuit eritque per secula (uti Christicolæ decet) hujusmodi celebratissima summi Pontificis instituta sectari, et in quibusq; dubitationibus, ac arduis quæstionibus supernaturali lumine freti, nostrum proferre judicium, ubi res ipsa optime considerata, multisq; hinc inde demonstrati-onibus, atq; patrum auctoritatibus mature declarata fuerit, temere quoad possumus nihil omnino judicantes. Cum igitur nos, quidam oratores clarissimi suppliciter exoraint, ut subsequenter casum diligentissime perscrutari dignare-

mur, atque nostram ferremus exinde sententiam, soli veritati simpliciter attendentes: qua ex re omnes hujus almæ universitatis doctores theologi in simul convenimus, re ipsa prius per nostrum quemlibet particulariter propriis domibus examinata, summaque cum solertia enucleata, mox in unum redacti cuncta consideravimus, examinavimus, omniaq; sigillatim ponderavimus, argumenta quæcunq; contraria, quæ fieri quoquo modo posse putavimus, adducentes, atq; integerrime dissolventes, necnon Deuteronomicam dispensationem de fratris suscitando semine, et reliquas omnes rationes atque sententias oppositas, quæ ad id facere videbantur: quæstio igitur talis fuit exposita, An ex sola sanctæ matris ecclesiæ institutione, vel etiam de jure divino prohibitum fuerit, ne quis relictam fratris absq; liberis in uxorem ducere valeat? Quod si utrobique fieri nequeat cautum est, An beatissimus pontifex super hujusmodi contrahendo matrimonio quenquam dispensare legitime possit? Quo exactissime (ut dictum est) seorsim publiceque discusso, ac pro viribus elucidato quæsito, dicimus, judicamus, decernimus, attestamur, atq; veridice affirmamus, matrimonium hujusmodi, tale conjugium et tales nuptias nullas esse, immo detestabiles, atq; execrandas Christiano cuilibet esse, prophanas, et ut scelus abominandas, crudelissimis pœnis, jure naturæ; divino et humano, clarissime esse prohibitas. Nec beatissimum pontificem, cui claves regni cœlestis à Christo Dei Filio sunt collatæ, ulla ex causa posse super tali matrimonio contrahendo quenquam juridice dispensare. Cum illa, quæ sunt à jure divino prohibita, non subsint ejus potestati, nec in illa gerit vicem Dei, sed solum super ea, quæ sunt commissa jurisdictioni hominum. Ad cujus sententiæ ac conclusionis veritatem tutandam et ejusdem certissimam defensionem, nos omnes unanimis semper et ubique parati sumus. In quorum fidem has nostras fecimus, almæ universitatis nostræ, ac sacri reverendorum theologorum collegii sigillo solito communivimus. Datum Paduæ in ecclesia hermitarum S. Augustini, die primo Julii, M.D.XXX.

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XXXV.

The judgment of the Lutheran divines about the king's marriage, ex MSS. R. Smith, London.

Ex hac collatione in qua audivimus argumenta de controversia divortii serenissimi et illustrissimi regis Angliæ, Franciæ, &c. proposita et diligenter agitata à reverendo D. D. Edwardo Hereford. episcopo, D. Nicolao archidiacono et D. D. Barnes, intelleximus serenissimum regem maximis et gravissimis causis adductum, superatum et conclusum esse, ut in hoc negotio matrimonii sui faceret quod fecit: nam hoc manifestum est et negare nemo potest, quod lex Levit. tradita Lev. 18. v. 20. prohibet ducere fratris uxorem, &c. sed divina, naturalis, et moralis lex est intelligenda tam de vivi quam de mortui fratris uxore, et quod contra hanc legem nulla contraria lex fieri aut constitui possit, sicut et tota ecclesia semper hanc legem retinuit, et judicavit hujusmodi nuptias incestas esse, sicut testantur synodorum decreta et sanctissimorum patrum clarissimæ sententiæ, et has nuptias prohibent et vocant incestas etiam jura civilia. Proinde et nos sentimus, et hanc legem de non ducenda uxore fratris in omnibus ecclesiis servandam esse veluti divinam, naturalem, et moralem legem; nec in nostris ecclesiis vellemus dispensare aut permittere, præsertim ante factum, ut ejusmodi nuptiæ contraherentur, et hanc doctrinam possumus et volumus Deo volente facile defendere. Cæterum quantum ad divortium pertinet, nondum sumus plene persuasi ut sententiam nostram ferre possimus, An post contractum matrimonium in hoc casu serenissimi regis debuerit fieri divortium. Rogamus igitur seren. regem ut æquo animo ferat, differri nostram sententiam in hac re donec erimus certiores.

XXXVI.*

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II.*An abstract of the grounds of the divorce.**Written in the beginning, Thomas Cantuarien.**Articuli ex quibus plane admodum demonstratur divortium inter Hen. 8. Angliæ regem invictiss. et serenissimam Catharinam necessario esse faciendum.*

1. AFFINITAS quæ divino et naturali jure impedit ne ma-
trimonium contrahatur, et contractum dirimit, solo nuptiali
Cotton lib. 1. Vesp. b. 5.
 foedere inducitur.

2. Substantia matrimonii, verum perfectumq; conjugium, sola conjugali pactione, et non carnali copula efficitur.

3. Vir et uxor solo foedere conjugali, Deo inprimis operante, una mens et una caro fiunt.

4. Carnalis copula affinitatem solo jure ecclesiastico reperi-
tam inducit.

5. Affinitas sola carnis concubitu orta sanctione humana solum impedit, ne matrimonium contrahatur, et contractum dissolvit.

6. Carnalis copula matrimonium necessario reddit consummatum.

7. Potest matrimonium carnali copula consummari, etiam uxoris virginitate irrecuperabili non amissa.

8. Serenissimam Catharinam ab illustrissimo principe Arthuro relictam virginem non fuisse affirmamus.

9. Sereniss. Catharinam ex judiciis quam plurimis attestantibus, et violentam præsumptionem inducentibus, ab eodem illustrissimo principe Arthuro corruptam, atq; matrimonium inter eos consummatum fuisse non dubitamus.

10. Serenissima Catharina, præsumptione violenta hujusmodi constante, virginitatem suam juramento præsertim publico probare nequit.

11. Judex eandem serenissimam Catharinam, super ea

*This article cannot be found. Either the MS. here copied has a wrong reference, or the article was lost from it in the fire which damaged the Cotton library. The MS. is much burnt.

BOOK causa jurare volentem, ad juramentum jure quidem admit-
II. tere non potest.

12. Henrici Octavi Angliæ regis invictissimi et serenissimæ Catharinæ prætesum matrimonium, lege divina et naturali prohibente, nullum omnino fuisse neque esse posse censemus.

XXXVII.

A bull sent to the archbishop of Canterbury, against the statutes of provisors.

Ex MS.D.
Petyt.

MARTINUS episcopus, servus servorum Dei, venerabili fratri archiepiscopo Cantuariensi salutem et apostolicam benedictionem. Si quam districto Dei judicio de commissis tibi ovibus rationem redditurus es, aliquando cogitares, si meminisses et tu quæ pastoralis officii cura esse debet, quantumq; ecclesiæ Romanæ, à qua dignitatem et auctoritatem vendicas, jus atq; honorem tueri obligatus es, in considerationem duceres; profecto non usq; adeo dormitares neq; negligeres: surrexisses jamdudum, et post oves jam longe aberrantes inclamares, ac pro viribus resisteres iis, qui jura ac privilegia à summo ecclesiarum capite omnium Christo, ecclesiæ Romanæ tradita, sacrilego vel ausu violant atq; contemnunt. Numquid ideo pontificalis dignitas tibi commissa est ut hominibus præsis, opes cumules, et quæ tua sunt non quæ Jeau Christi quærere debeas? si id existimas vehementer erras, et à Christi intentione longe abes, qui cum beato Petro oves suas committeret, nil ei aliud nisi ut illas pasceret indixit, priusq; non semel, sed bis ac tertio, an ab eo diligeretur expostulans. Estne hæc in Christum dilectio quam habes? estne hoc amare ac pascere oves? itane debitum quo ecclesiæ Romanæ astringeris, recte exsolvis? En ante oculos tuos ab ovili errantes in præcipitum labuntur oves, nec illas revocas neq; reducis. In conspectu tuo herbas pergunt pestiferas pascere, nec illas prohibes, immo (quod abominabile est) tuis quasi manibus hujusmodi præbes mortiferum cibum. Te vidente, lupus illas dispergit, et taces tanquam canis mutus non valens latrare.

Aspicias simul et Christi et ecclesie et sedis apostolicę mandata, auctoritatem, reverentiamq; contemptui haberi, nec semel unum murmuras verbum, clanculum saltem, si nolles palam. An ignoras ante seterni tribunal Judicis hujusmodi reus et culpas usq; ad minimum quadrantem redditarum te rationem? num credis, si qua tuo neglectu perierit ovium (pereunt autem multe) de tuis manibus sanguis earum exigetur? Quid per os Ezechielis Dominus conminatur, memorare et extimesce. Ipse, inquit, Speculatorem Domini posuit te Deus, si videris gladium venientem, et non insonueris buccina, et aliquis perierit, sanguinem ejus de manibus tuis requiram; hæc dicit Dominus. Qualis autem et qualis iniquitatis et abominationis gladius in Anglię regnum atq; oves tuas descenderit, tuo judicio (si ratione uteris) relinquimus. Perlege illud statutum regium, si tamen statutum, si tamen regium dici fas est. Nam quomodo statutum, quod statuta Dei et ecclesie destruit? quomodo regium, quod instituta peremit? contra illud quod scriptum est, Honor regis judicium diligit. Et judica, venerabilis frater et Christiane episcopo, ac catholice præsul, si justum, si æquum, si à populo Christiano servari est. Imprimis per illud execrabile statutum ita rex Anglię de ecclesia cum provisionibus et administrationibus disponit, quasi vicarium suum Christus eum instituisset. Legem condit super ecclesias, beneficia, clericos et ecclesiasticum statum, ad se suamq; laicalem curiam nonnullas causas spirituales et ecclesiasticas jubet introduci; et ut uno verbo concludamus, ita de clericis statuit, de ecclesiis et ecclesiastico statu, quasi ecclesie claves in manibus haberet, et non Petro, sed sibi hujusmodi cura commissa foret. Præter hanc nefandam dispositionem, vipereas quasdam contra clericos adjecit pœnas, quæ ne quidem contra Judæos vel Saracenos, per ullum de statutis suis, promulgatę inveniuntur. Possunt ad Anglię regnum cujuslibet generis homines libere proficisci; soli acceptantes beneficia auctoritate summi pontificis, vicarii Jesu Christi, jubentur exulari, capi, incarcerari, omnibusq; bonis exui, exæutoresq; literarum apostolicarum, procuratores, notarii, ac quicumq; alii censuram seu processum ab apo-

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stolica sede in regnum mittentes aut deferentes, ultimo supplicio deputantur, projectiq; extra protectionem regis expnuntur ab omnibus captivandi. Vide si audita est unquam similis statuti iniquitas : consideret prudentia tua, si regem aut regnum hujusmodi statuta decent : cogita si te talia inspicientem silere oporteat, et non magis clamare, contradicere, et pro viribus resistere. Estne ista filialis reverentia ? estne ista Christiana devotio quam regnum Angliæ suæ matri ecclesiæ ac sedi apostolicæ exhibet ? potestne catholicum regnum dici, ubi hujusmodi statuuntur profanæ leges et observantur, ubi prohibetur adiri vicarius Christi, ubi oves suas successor apostoli Petri pascere juxta mandatum Domini non permittitur ? Christus dixit Petro suisq; successoribus, Pasce oves meas : statutum autem regni pascere ipsas non sinit, sed vult ut rex ipse pascat, devolvendo ad eum in certis casibus apostolicam auctoritatem. Christus ædificavit supra Petrum ecclesiam ; sed regni statutum id prohibet : nam non patitur Petri cathedram de ecclesia prout judicaverit, expedire, ordinare vel disponere. Christus voluit quod quicquid summus pontifex in terris solverit aut ligaverit, solutum ligatumve esset in coelis ; statutum huic divinæ voluntati non assentit : nam si quos sacerdotes ad ligandum solvendumq; animas Christi vicarius in regnum contra statuti tenorem destinaret, non modo ipsos non admittit statutum, sed exulare jubet, bonis privari, aliisq; poenis affligi, et censuram seu processum apostolicum in regnum deferens, tanquam sacrilegus capite punitur. Quid ad hoc tua discretio respondebit ? estne hoc catholicum statutum ? potestne sine Christi injuria, sine evangelii transgressione, sine animæ interitu tolerari aut observari ? Cur igitur non clamas, et quasi tuba exaltas vocem tuam, annuncians populo tuo peccata sua, domui Israel scelera eorum, ne sanguis eorum de manibus tuis requiratur ? Quod et si omnes quibus populorum cura commissa est, facere teneantur, quanto magis id tibi erit necessarium exequi, cui populos et populorum ministros, oves et ovium pastores, tuæ sollicitudini Romana deputavit ecclesia, à qua et primatum et sedis apostolicæ legationem super Anglicanas ecclesias suscepisti, et

ipsius gloriosissimi martyris beati Thomæ olim Cantuariæ archiepiscopi successor effectus es, qui adversus similia decertans statuta, holocaustum se Deo offerens pro libertate ecclesiastica occubuit. Tu certe ob hæc, omnium primus qui vexillo assumpto in aciem prodire deberes, et fratres coepiscopos tuos tuo exemplo in certamine sistere, primus omnium terga vertis, et aliquos qui forte resistendi impetum caperent, tua sive pusillanimitate, sive dissimulatione, sive (ut omnes attestantur) evidenti prævaricatione à bono proposito dejicis. Itaque si de te queritur ecclesia, si in te omnis culpa transfertur, non mirari sed dolere, immo potius teipsum corrigere debes, et debitum quo ovium jure astrictus es audacter exolvere: pro qua re efficienda, si velis quam potes operam adhibere, non magnum certamen subeundum est. Persuade tuo pro officio et auctoritate tua, secularibus, et eos veritatem instrue. Ostende eis peccatum quo observantes prædictum statutum illaqueantur: et erunt (ut omnes asserunt) prava in directa, et aspera in vias planas. Ne ergo, si tacueramus et nos, tuam aliorumque desidiam dissimulantes similis apud omnipotentem Deum culpæ reos efficiat, neve ovium nostrarum sanguis (si neglexerimus) de manibus nostris exigatur, tuam fraternitatem qua possumus instantia, toto corde, totoque affectu hortamur, monemus, requirimus, et in virtute sanctæ obedientiæ, et sub excommunicationis pœna cui (si neglexeris) ipso facto te subjicimus, directe præcipiendo mandamus, quatenus quamprimum ad locum ubi consiliarii charissimi in Christo filii nostri Henrici Angliæ regis illustris conveniunt, personaliter accedas, eosque tam ecclesiasticos quam seculares pro sapientia tua, quam tibi Dominus inspiraverit, rationibus ac monitionibus reddas instructos, ut prædictum statutum in proximo parlamento tollant penitus et aboleant: cum enim divinæ et humanæ rationi, Veteris ac Novi Testamenti, conciliorum, sanctorum patrum, summorum pontificum decretis, ipsius denique universalis ecclesiæ observantiæ evidentissime contradicat, nec sine interitu salutis æternæ quovis modo servari possit. Hæcque inter alia dicere non omittas, qualiter ecclesiasticæ libertatis violatores, facientesque statuta aut consuetudines

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contra libertatem servari, officiales, rectores et consilarii locorum ubi hujusmodi statuta vel consuetudines editæ fuerunt vel servatæ; ac etiam qui secundum prædicta judicaverint, ipso jure excommunicationem incurrunt, quæ quantum sit Christi fidelibus metuenda, ipsis plene poteris declarare. Idem sub poena eadem te facere volumus cum parliamentum inchoabitur, tam erga prædictos consiliarios quam communitates, et alios qui vocem in ipso habuerint parliamento. Insuper ut pluribus viis honori Dei et sanctæ matris ecclesiæ, et animarum saluti provideatur, sub simili poena mandes ac præcipias omnibus tam rectoribus ecclesiarum, quam aliis officium prædicationis obtinentibus, secularibus et religiosis, ut frequenter in sermonibus suis populos de prædicta materia instruere non omittant. Volumus autem ut quicquid super prædictis feceris per tuas literas (quibus saltem duæ graves personæ, quæ ipsis requisitionibus per te faciendis interfuerint, se subscribant) nos certiores efficias. Dat. Rom. apud Sanctos Apostolos quinto *idus Decembris, pontificatus nostri anno decimo*.

XXXVIII.

A letter to king Henry the Sixth for repealing that statute.

MARTINUS episcopus, servus servorum Dei, charissimo in Christo filio Henrico regi Angliæ illustri, salutem et apostolicam benedictionem. Quum post multos nuncios ad tuam serenitatem pro abolitione illius detestabilis statuti contra libertatem ecclesiasticam editi olim transmissos, postremo dilectum filium magistrum Julianum causarum curiæ cameræ apostolicæ auditorem, pro eadem causa destinassemus; per ipsum tua celsitudo tunc nobis respondit, quod quamprimum commodè possit, parliamentum, sine quo idem nequit

* die

* The corrections in this and the three following documents, apparently made by the learned Dr. Wilkins, are taken from the margin of a copy of Burnet's History of the Reformation preserved in the Lambeth library.

aboleri statutum, convocaret, et in eo quod sibi possibile foret pro nostræ requisitionis ^acomplemento faceret, protestans quod sanctæ Romanæ ecclesiæ sedisq; apostolicæ juribus ac privilegiis nullo modo detrahere aut derogare intendebat: nos ob hoc, sicut deinde aliis literis tibi significavimus, usq; ad id tempus cum patientia expectare decrevimus, sperantes quod in verbo regio nobis pollicitus fueris, id tempore suo exequi non differres: itaque quicquid ex parte nostra hactenus faciendum fuit, omnem mansuetudinis et patientiæ modum experientes jam fecimus. Et licet gravibus interim per aliquos de regno tuo lacerati sumus injuriis, volumus tamen (ne quid contra promissum fieri videretur) usque ad id tempus (non sine rubore sedis apostolicæ) expectare, ut merito illud verbum evangelicum jam dici possit, Quid debui huic vineæ facere et non feci? Tu vero, fili charissime, cum ipsius parlamenti jam tempus instet, quod ex tua parte agendum restat, juxta promissionem tuam ac verbum regium implere non omittas, ad quod et jure divino et humano tanquam Christianissimus princeps obligatus, sine cujusvis requisitione pro tua et tuorum subditorum salute et honore facere teneris: præsertim quum talia obtuleramus, ob quæ nec tibi nec dicto regno ex prædicti statuti abolitione præjudicium ullum redundare possit; providere enim iis omnibus quæ causam statuto dedisse dicuntur, jam sæpe nostro nomine oblatum est, et nunc de novo offerimus. Jam igitur cum nulla quævis contradicendi occasio prætendi possit, speramus in dicto parlamento tuam serenitatem ita facturam, ut prædictum tam execrabile statutum penitus de eodem regno tollatur. Quod si feceris, salvabis primum tuam, tum vero multorum animas, quæ ob dictum statutum gravi crimine illaqueatæ tenentur; providebis deinde tuo et ipsius regni honori, quod utique propterea non modicum est notatum: demum nos ac sedem ipsam semper tuis justis desideriis obligabis. Super iis autem omnibus et de nostra intentione plene per literas nostras instructo, dilecto filio magistro Joanni de Obizis in dicto regno nuncio et collectori nostro, dabis credentiæ fidem plenam. Dat. ^bRomæ apud

^a implemento^b Rom. diæ decimo tertio Octobris,

BOOK II. Sanctos Apostolos tertio idus Oct. pontificatus nostri anno decimo.

XXXIX.

A letter to the parliament upon the same occasion.

MARTINUS episcopus, servus servorum Dei, venerabilibus fratribus et dilectis filiis, nobilibus viris parlamenti regni Angliæ, salutem et apostolicam benedictionem. Multis nunciis ac frequentibus exhortationibus, pro debito pastoralis officii, vos ac regnum vestrum hactenus admonuimus, ut pro salute animarum vestrarum, et ipsius regni honore quoddam detestabile statutum contra divinum et humanum jus editum, quod sine interitu salutis æternæ nullatenus servari potest, aboleretur. Et quoniam id sine parlamento tolli non posse, ex parte charissimi in Christo filii nostri Henrici regis Angliæ illustris, dilecto filio magistro Juliano causarum curiæ cameræ apostolicæ auditori, tunc nuncio nostro, responsum extitit, in quo (quam primum posset) convocato, quod sibi possibile foret pro nostræ requisitionis executione se facturum, idem rex pollicitus est, protestans juribus ac privilegiis sanctæ Romanæ ecclesiæ et sedis apostolicæ in nullo velle detrahere aut derogare. Nos volentes solita erga vos mansuetudine uti, decrevimus usq; ad ipsius parlamenti tempus expectare, sperantes quod tam rex juxta suam regiam promissionem, quam vos pro salute animarum vestrarum, sancte ac catholice secundum nostram requisitionem concludetis. Itaq; cum parliamentum (ut fertur) jam instet, vos omnes quorum animas nostræ curæ Dominus noster Jesus Christus commisit, hortamur, monemus, obsecramus, ut unanimes vestrarum animarum salutem, ac conscientiarum puritatem præ cæteris rebus amantes, prædictum abominabile statutum (quod qui observat vel observari faciat salvum non potest) penitus tollatur, et de regno in perpetuum aboleatis. Quod si quis forsitan vobis contrarium persuadere audeat, quicumq; ille sit, sæcularis vel ecclesiastici status, tanquam hostem animarum vestrarum et

honorum, nullatenus audite ; nec eum virum catholicum reputetis, qui adversus Romanæ ecclesiæ auctoritatem, juraque et privilegia sedi apostolicæ divinitus concessa, aliquid machinari præsumpserit, quibus ipse rex vester illustris nolle ullatenus derogare publice protestatus est. Nos quidem ipsi sumus ab omnipotenti Deo Jesu Christo super vos et universalem ecclesiam constituti, cujus doctrinæ ac persuasioni sine ulla contradictione omnimodam fidem vos et quilibet Christianus habere debetis : nos tamen, etsi indignos, oves suas pascere Christus voluit, clavesq; aperiendi ac solvendi cœlos tradidit. Et si quis nos audit, servi Christi testimonium Christianum audit ; et si quis nos spernit, Christum spernere convincitur. Et quoniam de vobis ac singulis Christianis in districto Dei judicio rationem reddituri sumus, ideo vos pro salute vestra tam sæpe tamque efficaciter admonemus ; et ne quisquam sub alicujus damni temporalis prætextu vos ab hac nostra catholica doctrina submoveat, ecce nos promptos paratosq; offerimus, omnibus causis, propter quas dictum statutum conditum esse prætenditur, salubriter providere, ita ut nec regno nec cuiquam privatæ personæ præjudicium aliquod ex ipsius statuti abolitione possit accidere. Super his omnibus et nostra intentione plene instructo dilecto filio magistro Joanni de Obizis, in dicto regno nuntio et collectori nostro, dabitis credentiæ plenam fidem. Dat. Romæ apud Sanctos Apostolos tertio idus Octobris, pontificatus nostri anno decimo.

XL.

An instrument of the speech the archbishop of Canterbury made to the house of commons about it.

DIE Veneris penultimo mensis Januarii, anno Domini secundum cursum et computationem ecclesiæ Anglicanæ millesimo quadringentesimo decimo septimo, indictione sexta, pontificatus sanctissimi in Christo patris et domini nostri

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domini Martini divina providentia papæ quinti anno undecimo, reverendissimi in Christo patres et domini domini, Henricus Dei gratia Cantuariensis et Johannes Eboracensis archiepiscopi, nec non reverendiss. patres W. Londinensis, Benedictus Menevensis, Philippus Eliensis, *Johannes Bathon. et Well. W. Norvicensis, episcopi, et cum eis venerabiles patres et viri religiosi Westmonasterii et Radingæ abbates de palatio regio Westmonasteriensi de camera, viz. ubi tam domini spirituales quam temporales in parlamento adtunc tento negotia regni tractaverint et tractare solebant, recedentes, et dimissis ibi dominis temporalibus, in simul transierunt ad viros illos qui pro communitate regni ad parliamentum hujusmodi venerant in loco solito, viz. in refectorio abbatiæ Westmonasteriensi prædictæ personaliter existentes, et incontinenter eisdem dominis spiritualibus cum reverentia debita, prout decuit à viris hujusmodi communitatem regni facientibus et repræsentantibus, receptis: præfatus reverendissimus pater archiepiscopus Cantuariensis causam adventus sui et confratrum suorum adtunc exponere cœpit in vulgari; protestando primitus, et protestabatur idem dominus Cantuariensis vice sua et confratrum suorum prædictorum, quod pro dicendo tunc ibidem non intendebat ipse reverendissimus pater, aut aliquis confratrum suorum, domino regi Angliæ aut coronæ suæ vel communitati regni in aliquo derogare, et sic adhærendo protestationi suæ hujusmodi, idem reverendissimus pater prosequabatur et exposuit solemniter causam adventus sui et confratrum suorum, sumpto quasi pro themate, Reddite quæ sunt Cæsaris Cæsari, et quæ sunt Dei Deo. Super quo procedendo, ea quæ ad jurisdictionem ecclesiasticam, et ea quæ ad Cæsaream pertinebant, notabiliter et ad longum declaravit, materiam provisionis et pro statuti illius contra provisores editi abolitione, cum bona et matura deliberatione prosequendo, et in processu declarationis hujusmodi jura nonnulla et sacræ scripturæ auctoritates convenientes allegavit, pro jure domini nostri papæ in provisionibus habendis, sicut sancti

* Jochen et W. Norvicensis,

prædecessores sui summi pontifices in regno Angliæ et alibi per universalem Christianitatem habuerunt, ipseq; dominus papa modernus in cæteris regnis habet et possidet in præsentī: unde præmissis, bullisq; et literis apostolicis, quas pro hac re idem dominus papa jam tarde ad regnum transmiserat, diligenter consideratis, et quod dictus dominus noster papa tot ambassiatas et nuncios solemnes ad prosequendum jus suum et ecclesiæ libertatem in præmissis, non absq; laboribus magnis, periculis et expensis, de curia Romana ad regnum Angliæ destinavit, idem reverendissimus pater Cantuar. archiepiscopus, nomine suo et confratrum suorum adtunc ibidem præsentium, et absentium in dicto parlamento per procuratores comparentium, ad quos ut asseruit divisim saltem principalis cura animarum totius communitatis regni pertinere dignoscitur, dictos viros omnes et singulos tunc præsentēs, communitatem (ut præmittitur) repræsentantes, requisivit et in Domino exhortabatur, quatenus ob salutem animarum suarum totiusq; regni prosperitatem et pacem, materiam prædictam sic ponderarent, et taliter in eodem parlamento super eadem deliberarent, ut sanctissimus dominus noster papa placari, ac regis zelum ad sedem apostolicam totiusque regni devotionem in hac parte habere posset materiam commendandi. Et addidit ultra hujusmodi requisitionem et exhortationem præfatus reverendissimus pater archiepiscopus Cantuariensis: et ex corde, ut apparuit, exposuit lacrymando, pericula per censurarum, viz. ecclesiasticarum et etiam interdicti fulminationem, et alias tam regi quam regno (quod absit) verisimiliter eventura alia, in casu quo responsio parlamenti illius, in materia tunc declarata, grata non foret domino papæ et accepta, sic dicendo; forte videtur quibusdam vestrum, quod hæc quæ regni prælatos potissime concernunt ex corde non profero, sciatis pro certo, et in fide, qua Deo teneor et ecclesiæ; affirmo coram vobis, quod magis mihi foret acceptum nunquam conferre aut etiam habere aliquod beneficium ecclesiasticum, quam aliqua talia pericula seu processus meo tempore in ecclesiæ Anglicanæ scandalum venirent. Ulterius idem reverendissimus pater expresse declaravit, qualiter dictus dominus noster papa in diversis

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bullis suis obtulit et promisit, se et sedem apostolicam, ad quascunq; causas et occasiones editionis statuti prædicti rationabile remedium apponere, et materias causarum et occasionum hujusmodi statuti in toto tollere et abolere; et sic requisitione, exhortatione et periculorum hujusmodi expositione finitis, reverendissimi patres Cantuar. et Eborac. archiepiscopi, cum confratribus suis episcopis et prælatis prædictis, recesserunt, regni communitate, seu saltem dictis viris communitatem regni repræsentantibus remanentibus, et circa materiam eis expositam tractantibus, præsentibus, et declarationem, requisitionem, et exhortationem, hujusmodiq; periculorum expositionem per dictum dominum archiepiscopum Cantuariensem (ut præmittitur) factas audientibus, venerabilibus viris Richardo ^b Caudray archidiacono Norwici in ecclesia Norwicensi, magistro Joanne Forster canonico Lincolnensi, ^c Johanne Pye canonico Bangorensi, Thoma Bladsmith, capellano præfati domini archiepiscopi Eboracensis cruciferario, et Johanne Bold notario publico et multis aliis.

XLI.

Act. 33. anno regni vicesimo tertio.

An act concerning restraint of payment of annates to the see of Rome.

FORASMUCH as it is well perceived, by long approved experience, that great and inestimable sums of money have been daily conveyed out of this realm, to the impoverishment of the same; and specially such sums of money as the pope's holiness, his predecessors, and the court of Rome, by long time have heretofore taken of all and singular those spiritual persons which have been named, elected, presented, or postulated^p to the archbishops or bishops within this realm of England, under the title of annates, otherwise called first-fruits. Which annates, or first-fruits, have been taken of every arch-bishoprick, or bishoprick, within this realm, by restraint of the pope's bulls, for con-

^b Coudray

^c &c. et Joanne Bould notario

firmations, elections, admissions, postulations, provisions, collations, dispositions, institutions, installations, investitures, orders, holy benedictions, palls, or other things requisite and necessary to the attaining of those their promotions; and have been compelled to pay, before they could attain the same, great sums of money, before they might receive any part of the fruits of the said arch-bishoprick, or bishoprick, whereunto they were named, elected, presented, or postulated; by occasion whereof not only the treasure of this realm hath been greatly conveyed out of the same, but also it hath hapned many times, by occasion of death, unto such arch-bishops, and bishops, so newly promoted, within two or three years after his or their consecration, that his or their friends, by whom he or they have been holpen to advance and make payment of the said annates, or first-fruits, have been thereby utterly undone and impoverished. And for because the said annates have risen, grown, and increased, by an uncharitable custom, grounded upon no just or good title, and the payments thereof obtained by restraint of bulls, until the same annates, or first-fruits, have been paid, or surety made for the same; which declareth the said payments to be exacted, and taken by constraint, against all equity and justice. The noble men therefore of the realm, and the wise, sage, politick commons of the same, assembled in this present parliament, considering that the court of Rome ceaseth not to tax, take, and exact the said great sums of money, under the title of annates, or first-fruits, as is aforesaid, to the great damage of the said prelates, and this realm; which annates, or first-fruits, were first suffered to be taken within the same realm, for the only defence of Christian people against the infidels, and now they be claimed and demanded as mere duty, only for lucre, against all right and conscience. Insomuch that it is evidently known, that there hath passed out of this realm unto the court of Rome, sithen the second year of the reign of the most noble prince, of famous memory, king Henry the Seventh, unto this present time, under the name of annates, or first-fruits, payed for the expedition of bulls

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of arch-bishopricks and bishopricks, the sum of eight hundred thousand ducats, amounting in sterling money, at the least, to eightscore thousand pounds, besides other great and intolerable sums which have yearly been conveyed to the said court of Rome, by many other ways and means, to the great impoverishment of this realm. And albeit, that our said sovereign the king, and all his natural subjects, as well spiritual as temporal, been as obedient, devout, catholick and humble children of God, and holy church, as any people be within any realm christned; yet the said exactions of annates, or first-fruits, be so intolerable and importable to this realm, that it is considered and declared, by the whole body of this realm now represented, by all the estates of the same assembled in this present parliament, that the king's highness before Almighty God, is bound, as by the duty of a good Christian prince, for the conservation and preservation of the good estate and common-wealth of this his realm, to do all that in him is to obviate, repress, and redress the said abusions and exactions of annates, or first-fruits. And because that divers prelates of this realm being now in extream age, and in other debilities of their bodies, so that of likelyhood, bodily death in short time shall or may succeed unto them; by reason whereof great sums of money shall shortly after their deaths be conveyed unto the court of Rome, for the unreasonable and uncharitable causes abovesaid, to the universal damage, prejudice, and impoverishment of this realm, if speedy remedy be not in due time provided: It is therefore ordained, established, and enacted, by authority of this present parliament, That the unlawful paiment of annates or first-fruits, and all manner contributions for the same, for any arch-bishoprick, or bishoprick, or for any bulls hereafter to be obtained from the court of Rome, to or for the foresaid purpose and intent, shall from henceforth utterly cease, and no such hereafter to be payed for any arch-bishoprick or bishoprick within this realm, other or otherwise than hereafter in this present act is declared; and that no manner person, or persons hereafter to be named, elected, presented, or postulated to

any arch-bishoprick, or bishoprick, within this realm, shall pay the said annates, or first-fruits, for the said arch-bishoprick, or bishoprick, nor any other manner of sum or sums of money, pensions or annates for the same, or for any other like exaction, or cause, upon pain to forfeit to our said sovereign lord the king his heirs and successors, all manner his goods and chattels for ever, and all the temporal lands and possessions of the same arch-bishoprick, or bishoprick, during the time that he or they which shall offend, contrary to this present act, shall have, possess, or enjoy the arch-bishoprick, or bishoprick, wherefore he shall so offend contrary to the form aforesaid. And furthermore it is enacted, by authority of this present parliament, That if any person hereafter named and presented to the court of Rome by the king, or any of his heirs or successors, to be bishop of any see or diocess within this realm hereafter, shall be letted, deferred, or delayed at the court of Rome from any such bishoprick, whereunto he shall be so represented, by means of restraint of bulls apostolick, and other things requisite to the same; or shall be denied, at the court of Rome, upon convenient suit made, any manner bulls requisite for any of the causes aforesaid, any such person or persons so presented, may be, and shall be consecrated here in England by the arch-bishop, in whose province the said bishoprick shall be, so alway that the same person shall be named and presented by the king for the time being to the same arch-bishoprick: and if any persons being named and presented, as aforesaid, to any arch-bishoprick of this realm, making convenient suit, as is aforesaid, shall happen to be letted, deferred, delayed, or otherwise disturbed from the same arch-bishoprick, for lack of pall, bulls, or other to him requisite, to be obtained in the court of Rome in that behalf, that then every such person named and presented to be arch-bishop, may be, and shall be, consecrated and invested, after presentation made, as is aforesaid, by any other two bishops within this realm, whom the king's highness, or any of his heirs or successors, kings of England for the time being, will assign and ap-

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point for the same, according and in like manner as divers other arch-bishops or bishops have been heretofore, in ancient time by sundry the king's most noble progenitors, made, consecrated, and invested within this realm: And that every arch-bishop and bishop hereafter, being named and presented by the king's highness, his heirs or successors, kings of England, and being consecrated and invested, as is aforesaid, shall be installed accordingly, and shall be accepted, taken, reputed, used, and obeyed, as an arch-bishop or bishop of the dignity, see, or place whereunto he so shall be named, presented, and consecrated, requireth; and as other like prelates of that province, see, or diocess, have been used, accepted, taken, and obeyed, which have had, and obtained compleatly, their bulls, and other things requisite in that behalf from the court of Rome, and also shall fully and entirely have and enjoy all the spiritualities and temporalities of the said arch-bishoprick, or bishoprick, in as large, ample, and beneficial manner, as any of his or their predecessors had, or enjoyed in the said arch-bishoprick, or bishoprick, satisfying and yielding unto the king our sovereign lord, and to his heirs and successors, kings of England, all such duties, rights and interests, as before this time had been accustomed to be paid for any such arch-bishoprick, or bishoprick, according to the ancient laws and customs of this realm, and the king's prerogative royal. And to the intent our said holy father the pope, and the court of Rome, shall not think that the pains and labours taken, and hereafter to be taken, about the writing, sealing, obtaining, and other businesses sustained, and hereafter to be sustained by the officers of the said court of Rome, for and about the expedition of any bulls hereafter to be obtained or had for any such arch-bishoprick, or bishoprick, shall be irremunerated, or shall not be sufficiently and condignly recompensed in that behalf. And for their more ready expedition to be had therein, it is therefore enacted, by the authority aforesaid, That every spiritual person of this realm, hereafter to be named, presented, or postulated, to any arch-bishoprick or bishoprick of this realm, shall and may

lawfully pay for the writing and obtaining of his or their said bulls, at the court of Rome, and ensealing the same with lead to be had without payment of any annates, or first-fruits, or other charge or exaction by him or them to be made, yelden, or paied for the same, five pounds sterling, for and after the rate of the clear and whole yearly value of every hundreth pounds sterling, above all charges of any such arch-bishoprick, or bishoprick, or other money, to the value of the said five pounds, for the clear yearly value of every hundreth pounds of every such archbishoprick, or bishoprick, and not above, nor in any other wise, any thing in this present act before written notwithstanding. And forasmuch as the king's highness, and this his high court of parliament, neither have, nor do intend to use in this, or any other like cause, any manner of extremity or violence, before gentle courtesie or friendship, ways and means first approved and attempted, and without a very great urgent cause and occasion given to the contrary, but principally coveting to disburden his realm of the said great exactions, and intolerable charges of annates, and first-fruits, have therefore thought convenient to commit the final order and determination of the premisses, in all things, unto the king's highness. So that if it may seem to his high wisdom, and most prudent discretion, meet to move the pope's holiness and the court of Rome, amicably, charitably, and reasonably, to compound, other to extinct and make frustrate the payments of the said annates, or first-fruits; or else by some friendly, loving, and tolerable composition to moderate the same in such wise as may be by this realm easily born and sustained; that then those ways and compositions once taken, concluded, and agreed, between the pope's holiness and the king's highness, shall stand in strength, force, and effect of law, inviolably to be observed. And it is also further ordained and enacted by the authority of this present parliament, That the king's highness at any time, or times, on this side the feast of Easter, which shall be in the year of our Lord God, a thousand five hundred and three and thirty, or at any time

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on this side the beginning of the next parliament, by his letters patents under his great seal, to be made, and to be entred of record in the roll of this present parliament, may and shall have full power and liberty to declare, by the said letters patents, whether that the premisses, or any part, clause, or matter thereof, shall be observed, obeyed, executed, and take place and effect, as an act and statute of this present parliament, or not. So that if his highness, by his said letters patents, before the expiration of the times above limited, thereby do declare his pleasure to be, that the premisses, or any part, clause, or matter thereof, shall not be put in execution, observed, continued, nor obeyed, in that case all the said premisses, or such part, clause, or matter, as the king's highness so shall refuse, disaffirm, or not ratifie, shall stand and be from henceforth utterly void and of none effect. And in case that the king's highness, before the expiration of the times afore-prefixed, do declare by his said letters patents, his pleasure and determination to be, that the said premisses, or every clause, sentence, and part thereof, that is to say, the whole, or such part thereof as the king's highness so shall affirm, accept, and ratifie, shall in all points stand, remain, abide, and be put in due and effectual execution, according to the purport, tenour, effect, and true meaning of the same; and to stand and be from henceforth for ever after, as firm, stedfast, and available in the law, as the same had been fully and perfectly established, enacted, and confirmed, to be in every part thereof, immediately, wholly, and entirely executed, in like manner, form and effect, as other acts and laws; the which being fully and determinately made, ordained, and enacted in this present parliament: and if that upon the foresaid reasonable, amicable and charitable ways and means, by the king's highness to be experimented, moved, or compounded, or otherwise approved, it shall and may appear, or be seen unto his grace, that this realm shall be continually burdened and charged with this, and such other intolerable exactions and demands, as heretofore it hath been. And that thereupon, for continuance of the

same, our said holy father the pope, or any of his successors, or the court of Rome, will, or do, or cause to be done at any time hereafter, so as above is rehearsed, unjustly, uncharitably, and unreasonably vex, inquiet, molest, trouble, or grieve our said sovereign lord, his heirs or successors, kings of England, or any of his or their spiritual or lay-subjects, or this his realm, by excommunication, excommungement, interdiction; or by any other process, censures, compulsories, ways, or means; Be it enacted by the authority aforesaid, That the king's highness, his heirs and successors, kings of England, and all his spiritual and lay subjects of the same, without any scruples of conscience, shall and may lawfully, to the honour of Almighty God, the encrease and continuance of vertue and good example within this realm, the said censures, excommunications, interdictions, compulsories, or any of them notwithstanding, minister, or cause to be ministred throughout this said realm, and all other the dominions and territories belonging or appertaining thereunto; all and all manner of sacraments, sacramentals, ceremonies, or other divine services of the holy church, or any other thing or things necessary for the health of the soul of mankind, as they heretofore at any time or times have been vertuously used or accustomed to do within the same; and that no manner such censures, excommunications, interdictions, or any other process or compulsories, shall by any of the prelates, or other spiritual fathers of this region, nor by any of their ministers or substitutes, be at any time or times hereafter published, executed, nor divulged, nor suffered to be published, executed, or divulged in any manner of ways. *Cui quidem billæ prædictæ et ad plenum intellectæ per dictum dominum regem ex assensu et autoritate parliamenti prædicti taliter est responsum:*

Le roy le veult.

Soit baille aux communes.

A cest bille les communes sont assentes.

MEMORAND. quod nono die Julii, anno regni regis Henrici vicesimo quinto, idem dominus rex per literas suas patentes sub magno sigillo suo sigillat. actum prædictum

BOOK ratificavit et confirmavit, et actui illi assensum suum regium
II. dedit, prout per easdem literas patentes, cujus tenor sequitur in hæc verba, magis apte constat.

Here follows the king's ratification, in which the act is again recited and ratified.

XLII.

The king's last letter to the pope. A duplicate.

To the pope's holiness, 1532.

Cotton lib.
 Vitell. b.
 13. fol. 168.

AFTER most humble commendations, and most devout kissing of your blessed feet. Albeit that we have hitherto differed to make answer to those letters dated at Bonony the 7th day of October ; which letters of late were delivered unto us by Paul of ^aCassalie : yet when they appear to be written for this cause, that we deeply considering the contents of the same, should provide for the tranquillity of our own conscience, and should purge such scruples and doubts conceived of our cause of matrimony ; we could neither neglect those letters sent for such a purpose, nor after that we had diligently examined and perpended the effects of the same, which we did very diligently, noting, conferring, and revolving every thing in them contained, with deep study of mind, pretermitt ne leave to answer unto them. For sith that your holiness seemeth to go about that thing chiefly, which is to vanquish those doubts, and to take away ^bthose inquietations which daily do prick our conscience ; insomuch as it doth appear at the first sight to be done of zeal, love, and piety, we therefore do thank you of your good will. Howbeit sith it is not performed in deed, that ye pretend, we have thought it expedient to require your holiness to provide us other remedies ; wherefore forasmuch as your holiness would vouchsafe to write unto us concerning this matter, we heartily thank you, greatly lamenting also both the chance of your holiness, and also ours, unto whom both

^a Cassali :

^b those *om.*

twain it hath chanced in so high a matter of so great moment to be frustrated and deceived; that is to say, that your holiness not being ^cinstructe, nor having knowledge of the matter, of your self, should be compelled to hang upon the judgment of others, and so put forth and make answers, gathered of other men, being variable and repugnant among ^dthemselfe. And that we being so long sick, and exagitate with this same sore, should so long time in vain look for remedy; which when we have augmented our ægritude and distress, by delay and protracting of time, ye do ^estill cruciate the patient and ^fafflicte, as who seeth it should much avail to protract the cause, and through vain hope of the end of our desire to lead us whither ye will. But to speak plainly to your holiness; forasmuch as we have suffered many injuries, which with great difficulty we do sustain and digest; albeit that among all things passed by your holiness, some cannot be laid, alledged, nor objected against your holiness, yet in many of them some default appeareth to be in you, which I would to God we could so diminish, as it might appear no default; but it cannot be hid, which is so manifest, and tho' we could say nothing, the thing it self speaketh. But as to that that is affirmed in your letters, both of God's law, and man's, otherwise than is necessary and truth, let that be ascribed to the temerity and ignorance of your counsellors, and your holiness to be without all default, save only for that ye do not admit more discreet and learned men to be your counsellors, and stop the mouths of them which liberally would speak the truth. This truly is your default, and verily a great fault, worthy to be alienate and abhorred of Christ's vicar, in that ye have dealt so variably, yea rather so inconsistently and deceivably. Be ye not angry with my words, and let it be lawful for me to speak the truth without displeasure; if your holiness shall be displeased with what we do rehearse, impute no default in us,^g but in your own deeds; which deeds have so molested and troubled us wrongfully, that we speak now unwillingly, and as enforced

^c instructed,^d themselves.^e so^f afflicted,

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thereunto. Never was there any prince so handled by a pope, as your holiness hath intreated us. First, when our cause was proponed to your holiness, when it was ^sexplicated and declared afore the same; when certain doubts in it were resolved by your counsellors, and all things discussed, it was required that answer might be made thereunto by the order of the law. There was offered a commission, with a promise also that the same commission should not be revoked; and whatsoever sentence should be given, should straight without delay be confirmed. The judges were sent unto us, the promise was delivered to us, subscribed with your holiness's hand; which avouched to confirm the sentence, and not to revoke the commission, nor to grant any thing else that might lett the same; and finally to bring us in a greater hope, a certain commission decretal, defining the cause, was delivered to the judges hands. If your holiness did grant us all these things justly, ye did unjustly revoke them; and if by good and truth the same was granted, they were not made frustrate nor annihilate without fraud; so as if there were no deceit nor fraud in the revocation, then how wrongfully and subtilly have been done those things that have been done! Whether will your holiness say, that ye might do those things that ye have done, or that ye might not do them? if ye will say that ye might do them, where then is the faith which becometh a friend, yea, and much more a pope to have, those things not being performed, which lawfully were promised? and if ye will say that ye might not do them, have we not then very just cause to mistrust those medicines and remedies with which in your letters ye go about to heal our conscience, especially in that we may perceive and see those remedies to be prepared for us, not to relieve the sickness and disease of our mind, but for other means, pleasures, and worldly respects? And as it should seem profitable, that we should ever continue in hope or despair, so always the remedy is ^hattempted; so that we being always a-healing, and never healed, should be sick still. And this truly

^s explicated^h attempted;

was the chief cause why we did consult and take the advice of every learned man, being free, without all affection, that the truth (which now with our labour and study we seem partly to have attained) by their judgments more manifestly divulged, we might more at large perceive; whose judgments and opinions it is easie to see how much they differ from that, that those few men of yours do shew unto you, and by those your letters is signified. Those few men of yours do affirm the prohibition of our marriage to be inducted only by the law positive, as your holiness hath also written in your letters; but all others say the prohibition to be inducted, both by the law of God and nature: those men of yours do suggest, that it may be dispensed for avoiding of ¹slander; the others utterly do contend, that by no means it is lawful to dispense with that, that God and nature hath forbidden. We do separate from our cause the authority of the see apostolick, which we do perceive to be destitute of that learning whereby it should be directed; and because your holiness doth ever profess your ignorance, and is wont to speak of other men's mouths, we do confer the sayings of those, with the sayings of them that be of the contrary opinion; for to confer the reasons it were too long. But now the universities of Cambridge, Oxford, in our realms; Paris, Orleance, ^kBituricen, Andegavon, in France; and Bonony in Italy, by one consent; and also divers other of the most famous and learned men, being ^lfree from all affection, and only moved in respect of verity, partly in Italy, and partly in France, do affirm the marriage of the brother with the brother's wife, to be contrary both to the law of God and nature; and also do pronounce that no dispensation can be lawful or available to any Christian man in that behalf: but others think the contrary, by whose counsels your holiness hath done that, that sithence ye have confessed ye could not do, in promising to us as we have above rehearsed, and giving that commission to the cardinal Campege to be shewed unto us; and after, if it so should seem profitable to burn it, as afterwards it was

¹ slanders;^k Biturisen, Andegavon,^l freed

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done indeed as we have perceived. Furthermore, those which so moderate the power of your holiness, that they do affirm, that the same cannot take away the appellation which is used by man's law, and yet is available to divine matters every where without distinction. No princes heretofore have more highly esteemed, nor honoured the see apostolick than we have, wherefore we be the more sorry to be provoked to this contention, which to our usage and nature is most alienate and abhorred. Those things so cruel we write very heavily, and more glad would have been, to have been silent if we might, and would have left your authority untouched with a good will; and constrained to seek the verity, we fell, against our will, into this contention; but the sincerity of the truth prohibited us to keep silence, and what should we do in so great and many perplexities? For truly if we should obey the letters of your holiness, in that they do affirm that we know to be otherwise, we should offend God and our conscience, and we should be a great slander to them that do the contrary, which be a great number, as we have before rehearsed: also, if we should dissent from those things which your holiness doth pronounce, we would account it not lawful, if there were not a cause to defend the fact, as we now do, being compelled by necessity, lest we should seem to condemn the authority of the see apostolick. Therefore your holiness ought to take it in good part, tho' we do somewhat at large and more liberally speak in this cause, which doth so oppress us, specially forasmuch as we pretend none atrocity, nor use no rhetorick in the exaggerating and encreasing the indignity of the matter; but if I speak of any thing that toucheth the quick, it proceedeth of the meer verity, which we cannot nor ought not to hide in this cause, for it toucheth not worldly things but divine, not frail but eternal; in which things no feigned, false, nor painted reasons, but only the truth, shall obtain and take place: and God is the truth to whom we are bound to obey rather than to men; and nevertheless we cannot but obey unto men also, as we were wont to do, unless there be an express cause why

we should not ; which by those our letters we now do to your holiness : and we do it with charity, not intending to spread it abroad, nor yet further to impugn your authority, unless you do compel us ; albeit also, that that we do, doth not impugn your authority, but confirmeth the same, which we revoke to its first foundations ; and better it is in the middle way to return, than always to run forth headlong and do ill. Wherefore if your holiness do regard or esteem the tranquillity of our mind, let the same be established with verity, which hath been brought to light by the consent of so many learned men ; so shall your holiness reduce and bring us to a certainty and quietness, and shall deliver us from all anxiety, and shall provide both for us and our realm, and finally shall do your office and duty. The residue of our affairs we have committed to our ambassadors to be propounded unto you, to whom we beseech your holiness to give credence, &c.

 XLIII.

A promise made for engaging the cardinal of Ravenna. An original.

Rome Febr. 7. 1532.

Ego Willielmus Bennet serenissimi domini mei D. Hen-
rici Octavi Angliæ, &c. regis, in Romana curia orator, ha-
bens ad inscripta ab ipso rege potestatem et facultatem,
prout constat per ipsius majestatis literas patentes datas in
regia sua Grenewici die penultima ^aDecembris M.D.XXXI.
manu sua propria suprascriptas, et secreto sigillo suo sigilla-
tas ; Quoniam in ipsius regis arduis negotiis expertus sum
singularem et præclaram operam reverendissimi in Christo
patris et domini D. Henrici Sancti Eusebii S. R. E. pres-
byteri cardinalis Ravennæ, quibus et deinceps uti cupio, ut
eandem semper voluntatem et operam sua dominatio reve-
rendissima erga ipsum regem præstet, libere promitto eidem

• Decemb.

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cardinali nomine dicti mei regis, quod sua majestas provideri faciet eidem cardinali, de aliquo monasterio seu monasteriis aut aliis beneficiis ecclesiasticis in regno Galliae primo vacaturis, usque ad valorem annum sex millium ducatorum: et insuper promitto quod rex Angliae praedictus praesentabit, seu nominabit eundem cardinalem ad ecclesiam cathedralem primo quovis modo vacaturam, seu et ad praesens vacantem, in regno Angliae, et de illa ei provideri faciet; et casu quo ecclesia primo vacatura hujusmodi, ceu ad praesens vacans, non sit ecclesia Eliensis, promitto etiam quod succedente postea vacatione ecclesiae Eliensis, rex Angliae transferri faciet eundem cardinalem, si ipsi cardinali magis placuerit, ab illa alia ecclesia de qua provisus erit, ad ecclesiam Eliensem: et dictorum monasteriorum et beneficiorum ecclesiasticorum in regno Galliae, et ecclesiae cathedralis in regno Angliae possessionem pacificam, cum fructuum perceptione, ipsum cardinalem assequi faciet: et haec omnia libere promitto, quod rex meus supradictus plenissime et sine ulla prorsus exceptione ratificabit et observabit et exequetur; in quorum fidem praesentes manu mea propria scripsi et subscripsi, sigilloque munivi. Dat. Rom. die septimo Februarii, M.D.XXXII.

This is all written with his own hand, and was sent over by him to the king.

XLIV.

Bonner's letter about the proceedings at Rome. An original.

Rome, April 29. 1532.

Cotton lib.
Vitell.
b. 13.
fol. 178.

^a PLEASETH it your highness; this is to advertise the same, that sithen we William Bennet, Edward ^b Kerne, and Edmond ^c Boner, sent over letters of the 7th of this present to your highness; there hath been two disputations publick, the one the 13th of this, the other the 20th day of the same, according to the order given and assigned, which was three conclusions to be disputed every consistory; and

^a PLEASE . ^b Kerne, ^c Bonner,

what was spoken, as well by your highness's counsel, for the justification of the ^dconclusions purposed the said 13th, as also for the impugnation thereof by the party adverse, with answers made thereunto by your highness's said counsel, as fully as were any wise deduced, your said highness shall perceive by the books sent herewithall containing the same; and also the justifications, objections, and answers, made in the 6th of this present, according as I Edward ^cKerne in my said letters promised. The copies of all the which justifications, objections, and answers, after that they were fully noted and deduced in writing, and maturely considered by your highness's learned counsel, I Edward ^fKerne did bring to the pope's holiness, and to the cardinals, for their better information; and likewise did of the first, alwise afore the consistory, according to the order assigned at the beginning; looking in likewise that the queen's counsel should do this same, but as yet they have done nothing therein, though your ambassadors and I have called upon the pope many times for the same. And as concerning such things as were spoken and done for either part in the disputation of the 20th day, it is not possible for us, by reason of the shortness of time, to reduce all in good order, and to send the same to your highness at this time; nevertheless with all speed it shall be made ready, and sent to your highness by the next courier. After the disputation done, the said 13th of this present, the advocate of the party adverse did alledge, that we did seek ^hthese disputations but only to defer the process; protesting therefore, that the queen's counsel would dispute no more; and desiring therefore the pope's holiness and the whole consistory, to make process in the principal cause. Whereunto I Edward ⁱKerne said, that the pope's holiness, with the whole senate, had granted the disputations upon the matters, and given an order that the conclusions published should be disputed according to the same. Whereupon I desired that forasmuch as there remained sixteen conclu-

^d conclusion
disputation

^e Karne
ⁱ Karne

^c Karne

^s 13th day of

^h this

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sions not disputed (which to propose and justify, with your highness's counsel, I would be ready at all times) that if the party adverse knowing the conclusions to be canonical, would not confess them, and thereby avoid disputations, that then the said party should dispute them, and upon the refusal of both the same, the matters ^kexcusatorie to be admitted by his holiness, especially because the said party adverse hath nothing material that could be perceived to lett the same. The pope's holiness answered, that he would deliberate upon the demand of both parties. The 16th of this present, the datary on the pope's behalf sent unto me Edward ^lKerne, an intimation of the consistory to be kept the 20. of this present, and that I should send the conclusions not disputed, that they might be in the said consistory disputed; adding withall, that the said consistory should be *ultimus et peremptorius terminus quoad alias disputationes*. Of the which intimation your highness shall receive a copy herewith. Upon this, with the advice of your ambassadors and counsel here, I repaired unto the said datary, and brought unto him three conclusions to be disputed, with a protestation, *De non recedendo ab ordine hactenus observato*, according to the proem of the said conclusions, the copy whereof your highness shall receive herewith. Afterwards, with the same conclusions and protestation, I went to cardinal de Monte, who said, at the beginning, that all the consistory crieth out upon the disputations, and that we had been heard sufficiently, and that it was enough that we should have the fourth disputation; adding withall, that it was a thing never seen before after such sort; and that it stood not with the honour of the see to have such disputations in the consistory, to the great disquieting of the pope and the cardinals, especially considering the manner that is used, and that all the conclusions be touched which should content us. To this I answered, and desired his most reverend lordship to call to his remembrance, what he had promised to your highness's ambassadors and

^k excusatories^l Kerne, an intimation for disputation of

me, in the Castel-Angel upon ^mShroft-Sunday, the pope being present, and allowing ^aof the same, contented that all the conclusions should be disputed *singulariter*; and that I should at my pleasure, from time to time, chuse the conclusions to be disputed. And how also afterwards, viz. 17 Febr. the pope's holiness, cardinal ^oAnchona, and his lordship, not going from that promise, ^Ptook direction three conclusions to be disputed every consistory; the choice whereof to be at my liberty (according to the copy of the said order which I sent to your highness with my letters, of the date of the 22. of the last): and furthermore, that what time the order to dispute three conclusions in a consistory was sent unto me, and I required to send the conclusions first to be disputed according to the said order; I did, to avoid all manner of doubts, protest afore I would accept it, and in the deliverance of the said conclusions, that I would not otherwise accept it, but that all the conclusions, according to the order promised in Castel-Angel, should be disputed and examined *singulariter*, and that standing, and not otherwise, I delivered my said conclusions according to the order of the 17 of February; which order the pope's holiness hitherto had approved and observed, and from that I neither could ^qneither would go: and where he said that we had been heard sufficiently; I said, that audience and information of less than the one half of a matter could not be sufficient; and if they intended to see the truth of the whole, every point must be discussed. And as for the crying out of the cardinals, I said, they had no cause so to do, for it was more for the honour of the see apostolick, to see such a cause as this is, well and surely tried, so that the truth may appear, and the matters be well known, than to proceed *præcipitanter*, as they did at the beginning of this matter, afore they well knew what the matter was. And as touching the disquieting the pope's holiness, and the said cardinals, I said, your highness for their pains was much beholden unto them; nevertheless, I said, that they might on the other side ponder such pains as your highness

^m Shrove-Sunday, ^a of om. ^o Ancona, ^P gave direction for three ^q nor

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hath taken for them, in part declared by me ; which was much more than for them to sit in their chairs two or three hours in a week, to hear the justice of your defence in this cause. And as touching the manner used in the said disputation, I said his lordship knew well that it was by the party adverse, which all manner of wayes goeth about to fatigate and make weary the consistory of the disputations, specially in chiding, scolding and alledging laws and decisions that never were, nor spoken of by any doctor, and vainly continuing the time, to the intent that the pope's holiness, and the cardinals, dissolving the consistory, and not giving audience, the said party, without law, reason, or any good ground, might attain their desire, and keep under the truth, that it should not appear ; and if any thing was sharply spoken of our party, I said it was done only for our defence, and to shew the errors and falsity of the queen's advocates in their allegations, wherein, I said, they should not be spared. And forasmuch as on the behalf of your highness there was nothing spoken but that which was grounded upon law, and declared in what place, so that it cannot be denied ; I desired his lordship that he would continue his goodness in this matter, as your highness's especial trust was he would do ; and that we might always, as we were accustomed, have recourse unto the same in all our business for his good help and counsel. His lordship not yet satisfied, said, that as concerning the order, the pope's holiness might interpretate and declare what he meant by it ; and as touching the conclusions, they were superfluous, impertinent, and calumnious, only proposed to defer the matter. I answered, and said, that to interpretate the said order where it is clear out of doubt the pope's holiness considering the promise made on ^rShroft-Sunday, with my protestation foresaid and the execution of the said order to that time, in divers consistories observed, could not by right interpretate the said order, admitting disputation upon all the conclusions ; and of this I said, that if such alterations were made, without any cause given of

^r Shrove-Sunday,

your highness's party, there was little certainty to be reckoned upon amongst them. And as touching the superfluity and impertinency of the said conclusions, I said, that that was the saying of the party adverse, that did not understand the same conclusions. And further, that such conclusions as were clamorously, by the advocates of the party adverse, alledged to be superfluous, his lordship in the disputation and trial thereof in the consistory, did manifestly perceive that it was not so. And where it was alledged the said conclusions to be calumnious, and laid in to defer the process. I answered, that we might well alledge again the counsel of the party adverse, the thing against us alledged, and say truly, that we were calumniously dealt withal, seeing the matters were so just and clear, and yet not admitted. Then his lordship went further, and said, that *impedimentum allegatum erat perpetuum*, because your highness, *ex causa reipublicæ*, could not come out your realm, and *quia dignitas vestra est perpetua*; and also *quod causa requirit celeritatem*. To this I said, that his lordship mistook the 'matters, for we said not in the matters that your highness could not go out of your realm to no place, but we said, that the same could not go, *ad loca tam remota*, as Rome is: so that it was not *perpetuum impedimentum*. And to the other I shewed him a text, and the common opinion of doctors in a cause of matrimony, being *inter regem et reginam*, which took away the thing that he had said. Then his lordship said, that it was enough that the place were sure to the procurator by the chapter, *Cum olim de testibus*. I said, that that chapter did not prove that allegation, and that they mistook the text that so did understand it, for the alternative that is in that text is not referred *ad locum tutum*, but *ad ordinem citationis inchoandæ in persona principali, aut ejus procuratore*; and so *Petrus de Anchorano*, understandeth that text; and otherwise understanding the same it should be against the chapter, *Ex parte de appellatione*, and the common opinion there. Then he said that Aretine saith, *Quod*

* matter,

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sufficit quum locus sit tutus procuratori. I said, that under his favour, Aretine saith the contrary, for he saith, *Quod partibus debet locus tutus assignari si poterit, et si non poterit partibus, detur procuratoribus.* Then his lordship said to me, that I knew well he began to set forward these disputations, and that he would do the best he could for the furtherance thereof.

The 19th of this present I went with your highness's ambassadors to the pope, and delivered his holiness in writing those things that were done in the disputation of the 13th of this: and then your ambassadors were in hand with the pope to alter the intimation, and to put out the term *peremptory*, and other that were exclusory of further disputations to be had upon the same conclusions. The pope's holiness said, that disputations was no act judicial requiring to be in the consistory; and therefore he said, he would call certain congregations of cardinals, on Fryday and Monday following, to hear the disputations. Then I William Benet said, that that could not stand very well with the decree of the intimation, which was peremptory for any further disputations after the 20th of this present; and therefore I spake that the same term *peremptory* might be put out of the intimation, alledging withal, that upon the said Fryday or Monday it was no time to hear the disputation, being so nigh after; and that his holiness hitherto hath observed the consistory for the disputations, which consistory cannot be unto after Easter, if the manner of the court be observed. Then the pope said, he might call a consistory when he would, as he hath done in making of cardinals, an act much more solemn than a disputation. To that I said, his holiness might so do if he would; howbeit, it should be *præter solitum morem*: and therefore desired his holiness to consider therein the order before assigned, and that this term *peremptory* would not stand with the order. His holiness then willed we should inform the cardinals, 'Anchona and de Monte, and so we did; "Anchona shewed himself somewhat reasonable, and was contented the term *peremptory*

' Anchona

" Anchona

should be put out. De Monte said that the pope would promise to hear the conclusions disputed in congregations, calling thereto certain cardinals, so that the term *peremptory* should not be prejudicial. Then I Edward v Kerne desired him, that if the said term should not be prejudicial, that it might be stricken out, for I told him plainly that I would not stand to words, the writing shewing the contrary; adding withal, that I would not dispute in this term, *tanquam peremptorio*, but would manifestly shew and protest, that I, with other your highness's counsel, were ready to defend the conclusions published according to the order given, and hitherto observed; alledging also, that the conclusions being justified, the matters ought to be admitted; and that if the pope's holiness and the cardinals would not give audience to me and your highness's said counsel, for the manifest trial and showing of the truth, they should give us cause to complain upon them, and to cry out *usque ad sidera*, your highness's ambassadors all affirming the same. Then the said cardinal de Monte said, that the pope's holiness would provide for the disputations, notwithstanding the term *peremptory* assigned, and said also, that in the morning he would speak with the pope, and give your ambassadors and me an answer.

In the morning, which was the 20th of this present, the said cardinal would, that nothing of the decree of intimation should be manifested, because the other part had a copy thereof, but would the pope's holiness to give an order that the word *peremptory* should be only for disputations to be had in the consistory, and not in congregations, in which congregations, the conclusions remaining might be disputed; and though they had drawn out this order, yet because it was nothing plain, neither certain to be conformable to the former order, I would have had the said cardinal to speak to the said datary for to make it as afore; and he was then contented, howbeit the pope's holiness commanded all the cardinals to their places, so that I could not have the said order, and was driven thereby either to dis-

v Kerne

x tho'

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pute and accept the term, *tanquam peremptorium*, or else to fly the disputations, giving occasion to the adverse party to say, that I diffided in the justness of the matters, and defence of the conclusions. Whereupon your highness's ambassadors and we, with other your learned counsel, concluded, that I Edward ^y Kerne should protest, *De non consentiendo in termino, tanquam peremptorio*, and afterward to proceed to the proposing of the conclusions, and so I did by mouth according to the tenor of a copy, which herewithal your highness shall receive. When I had protested, and the pope had spoken this word *Acceptamus*, the queen's advocate began to protest that they would dispute no more, and desired his holiness to proceed in the principal cause. Then I Edward ^z Kerne said, that the pope's holiness did well perceive, that the conclusions were published and proposed, not only for them to dispute, but also for all other, come who would, for the information of his holiness, and the whole consistory. And therefore I said, that tho' they would not dispute, yet I was there, with other your highness's learned counsel, to ^a purpose the conclusions, according to the order given, justifying them to be canonical, and ready to defend them against all those that would gainsay them; and thereupon desired the pope's holiness, that tho' the counsel of the party adverse would not dispute, yet I with your highness's learned counsel might be heard again; against which my desire the queen's advocate made great ^b exclamation, till at the last the pope commanded him to silence, and willed us to go to the conclusions, which we did.

And here now it is determined, that we shall have no more disputations in the consistory, but the rest of the conclusions to be disputed in congregations before the pope, purposely made for the same; and what therein shall be determined or done, your highness from time to time shall thereof by us be advertised, and of all other our doings in that behalf.

And as concerning the letters which your highness sent

^y Kerne ^z Kerne ^a propose ^b exclamations,

by Francis the courier, of the last of February, as well to the pope, as to me Edward ^c Kerne, for the admission of me and the matter excusatory, we shall, according to your highness's pleasure and order assigned, in the common letter sent unto us by your said highness, proceed and do therein as may be most beneficial and profitable for the same.

And thus most humbly we commend us to your highness, beseeching Almighty God to preserve the same in felicity and health many years. At Rome the 28th of March. 1532.

Your highness's most humble subjects,
servants, and chaplains,
William Bennet,
Edward ^d Kerne,
Edmond ^c Boner.

XLV.*

Another letter concerning the process at Rome. An original.

PLEASETH it your highness, sithen our letters of the 23 of March, here hath been great labour, and solliciting, to bring the disputation publick out of the consistory kept once in the week, into the congregations, to be observed and kept before the pope's holiness and the cardinals, in such place, and as oft as should please them; to the intent, as we perceived that the said disputation might be the sooner ended, and not take such effect as it was devised for. And upon this great importune labour, I, Edward Karne, was monished oftentimes to send conclusions to be proposed in the said congregations, as well in Palm-Sunday-week, as in Easter-week, as appeareth by the copies of the intimations sent herewithal to your highness: upon

Cotton lib.
Vitell.
b. i.

^c Karne, ^d Karne, • Bonner.

[* The MS. from which this document was taken was lost in the fire when part of the Cotton library was burnt.]

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which intimations I delivered certain conclusions, according to the order taken at the beginning, with a protestation devised by your grace's counsel here, *De non recedendo ab eodem ordine, et de proponendo easdem conclusiones in consistorio, juxta eundem ordinem et non aliter*. That notwithstanding the pope's holiness caused me to be monished again, *cum comminatione*, that if I would not come in, *cum advocatis*, the third day of April, *procederet ad ulteriora, protestatione mea prævia non obstante*. Whereupon, with the advice of your said learned counsel, I conceived a protestation, and the same delivered to the pope's holiness the said third day in the morning, protesting as it was therein contained, and causing it to be registered by the datary; of the which protestation your highness shall also receive a copy herewithal. This notwithstanding the pope's holiness, the said third day in the afternoon made a congregation, where the said protestation was examined; and after the treaty had upon the same, we were in conclusion remitted again to the consistory, there to be heard, as much as the consistory intendeth to hear, upon the conclusions that are published; which was much more beneficial to us, than to have had all proposed in congregations to have been kept, as is afore. And by this means the matter was shifted off, and deferred unto the 10th of this month; at which time the pope's holiness kept the consistory. And one Mr. Providel, a singular good clerk, which came from Bonony for the furtherance of your highness's cause, very compendiously, and after good fashion and handling, to the great contentation, as appeared, of the audience there, proposed three conclusions, of the which two concerned the habilitation of me Edward Karne, to lay in the matters excusatory: and the third was, that the cause ought to be committed, *extra curiam, ad locum tutum utrique parti*: of the which conclusions, and also his sayings, the said 10th day, your highness shall receive a copy herewithal. And forasmuch as at the said consistory, neither the imperials, neither yet the queen's counsel, did appear; I, Edward Karne, with the advice of your highness's counsel, said to

the pope's holiness, after the proposition made by Mr. Providel, that his holiness might perceive well, that if the party adverse had any good matter to alledge, against such things as were deduced for the justification of the conclusions, and matter excusatory, and did not diffide of their part, they would not have absented themselves, or shrunk from the disputations, which they afore had accepted and taken; wherefore I accused their contumacy and absence, desiring that it might be enacted; and thereupon departed from the consistory, for that day dissolved.

The 14th of this present, the pope's holiness caused intimation to be made unto me, of the consistory to be kept the 17th of the same; willing me to be there, *cum advocatis*, to dispute all the conclusions not proposed and disputed: upon the which intimation, I delivered to the datary three conclusions, the 19, the 20, and the 21 in order, with a protestation devised by your learned counsel, sent herewithal to your highness: and in the said consistory, Mr. Providel did also alledge for the justification of the matters and conclusions; and over that answered to such objections as he thought the party adverse to make foundation upon, and that very compendiously, being sorry that the imperials, and queen's counsel, did not come in to dispute the said conclusions; and the sayings of the said Mr. Providel in the said consistory, with my protestation also, in not agreeing to the term, as *peremptory*, your highness shall perceive in writing sent here-withal.

As concerning the seven conclusions yet remaining undisputed, we think the pope's holiness will hear us no further in the consistory; saying, that the part adverse will not abide the disputations, nor come into the same: nevertheless to take otherwise out of the consistory, with the cardinals information, his holiness is well contented.

And verily, sir, to study, labour, set forward, and call upon such things as may confer to the advancement of the matter, and your highness's purpose, there shall not want neither good will, neither diligence to the uttermost, that we can excogitate or desire, as hitherto surely neither party

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hath failed; trusting in God that thereby if justice be not oppressed, some good effect shall follow, to the good contentation of your highness. With these presents, your highness shall also receive a copy of all things that were spoken, as well for your highness's behalf, as by the party adverse in the consistory, the 20th day of March.

And thus most humbly we commend us to your highness, beseeching Almighty God long to continue the same in his most royal estate. At Rome, the 29th of April.

Your highness's most humble subjects,
and poor servants,
Edward Karne,
Edmond Bonner.

XLVI.

A letter from Bennet and Cassali about the process. An original.

Cotton lib.
Vitell.
b. 13.
fol. 210.

SERENISSIME et invictissime domine noster supreme, salutem. Tribus superioribus consistoriis ante vacationes habitis, de causa excusatoria actum fuit; sed quid illud fuerit quod in primo egerunt rescire non potuimus, quia cardinales pœna excommunicationis prohibiti fuerant quicquam revelare. Secundo etiam aliquid super eadem causa tractarunt quod itidem nos celaverunt. Sed ultimo illo, quod die octavo Julii congregatum fuit, ita ut inferius patebit, constituerunt. Quum ergo postero die pontificem adivissemus, ut quod decretum foret cognosceremus, ab eo sic accepimus; nolle se ore suo, propterea quod jurisperitus, non sit consistorii deliberationem pronunciare; quocirca die sequenti ad ipsum rediremus, quoniam vellet cardinales Montem et Anconitanum id ipsum nobis proferre: Et nihilominus idem quod deinde ex ipsis cardinalibus audivimus tunc explicavit, noluit tamen nobis esse responsi loco. Igitur sicut dixerat, redivimus, et nobis duo illi cardinalis sic retulerunt summum dominum et cardinales decrevisse, literas exhortatorias cum à pontifice, tum à collegio cardina-

lium, majestati vestræ scribendas esse, quibus vestram majestatem adhortarentur, ut velit hic ad causam procuratorem constituere, idq; per totum Octobrem proximum facere. Pontifex præterea suadebat ut ad idem nos majestatem vestram cohortaremur, idemq; fecerunt cardinales volentes omnes ambiguitates et dubitationes tollere. Respondimus, velle quod nobis injungebatur majestati vestræ scribere; verum illud non posse reticere quod erga majestatem vestram inique actum videbatur; quum neque excusator admissus, neque ipsius allegationes forent probatæ ac receptæ, id quod tam sæpe instantissime petatum fuerat. Præterea non posse nos non valde mirari ac etiam summopere conqueri, quod quum pro comperto haberemus juris esse id fieri, esset nihilominus denegatum; quum præsertim petendo mandatum procuratorium, tacite viderentur rejicere excusatorem, et per ipsum allegata. Sic autem nobis illi responderunt, neque excusatorem fuisse rejectum, neque per ipsum allegata sed in eodem quo prius, statu permanere; hoc autem excusatorium negotium minime, ut nobis iudicibus clarum, sed dubium videri. Ibique, Anconitanus quædam nostris contraria adduxit, quæ D. Karne suis literis recenset. Dicebant quoq; in hac re favorabilius nos, quam adversarios fuisse tractatos; illud etiam addentes, quod si procuratorium mandatum mittatur, justitia optime ministrabitur, ac etiam quatenus fieri possit, favorabiliter; idque et pontifex et cardinales ambo constanter asseverabant. Quum vero nos sæpius diceremus, excusatorem admitti debuisse; dixerunt, si recte considerare velimus, nos idem ipsum re habuisse; si enim (aiebant,) procurator hic constituatur, literæ remissoriæ et compulsoriæ decernentur, ad testes in partibus examinandos. Itemq; vir aliquis probus ad id delegabitur ad utramque partem, testesque scil. examinandos, ita ut processus in partibus fiat; atque hoc pacto nos id consequi quod desideramus, quoniam quod ad totius causæ decisionem pertinet ex eo quod de pontificis potestate cognoscendum, et de jure divino disceptandum sit, ac aliis etiam de causis, ipsam decisionem pontifici integram semper reser-

• illi nobis

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vari nihilominus oporteret, quamvis causam alibi quam Romæ cognosci permissum fuisset. Nobis certe visum est, haud parum esse quod obtinuimus, longe enim pejora timebamus, quum nemo in urbe esset, qui non crederet excusatorem una cum suis allegationibus rejectum iri. Hunc quidem eventum rei Cæsariani ægerrime tulerunt. Optime valeat majestas vestra. Romæ die 13 Julii 1532.

Vestræ regiæ majestatis

Hier. episcopus Wigornien.

W. Benet.

Gregorio Cassali.

 XLVII.

The sentence of divorce.

Anno incarnationis millesimo quingentesimo tricesimo tertio, indictione sexta, Clementis papæ decimo, mensis Maii vicesimo tertio, in ecclesia conventuali monasterii Sancti Petri Dunstabliæ, ordinis Sancti Augustini Lincoln. Dioces. nostri Cantuarien. provinciae.

In an In-
speximus,
Rot. Pat.
25. Reg.
2d. part.

IN Dei nomine, Amen. Nos Thomas permissione divina Cantuarien. archiepiscopus, totius Angliæ primas, et apostolicæ sedis legatus, in quadam causa inquisitionis de et super viribus matrimonii inter illustrissimum et potentissimum principem et dominum nostrum Henricum Octavum Dei gratia Angliæ et Franciæ regem, fidei defensorem et dominum Hiberniæ, ac serenissimam dominam Catharinam nobilis memoriæ Ferdinandi Hispaniarum regis filiam contracti et consummati, quæ coram nobis in judicio ex officio nostro mero aliquandiu vertebatur, et adhuc vertitur, et pendet indecisa, rite et legitime procedentes visis primitus per nos et diligenter inspectis, articulis sive capitulis in dicta causa objectis et ministratis, una cum responsis eis ex parte dicti illustrissimi et potentissimi principis Henrici Octavi factis et redditis, visisque et similiter per nos inspectis plurimorum nobilium et aliorum testium fide dignorum

dictis et depositionibus in eadem causa habitis et factis, visisque præterea et similiter per nos inspectis, quamplurimum fere totius Christiani orbis principalium academiarum, censuris seu conclusionibus magistralibus, etiam tam Theologorum quam jurisperitorum responsis et opinionibus, utriusque denique provinciæ Anglicanæ conciliorum provincialium assertionibus et affirmationibus, aliisque salutaribus monitis et doctrinis super dicto matrimonio desuper respective habitis et factis; visisq; ulterius, et pari modo per nos inspectis, pactis seu foederibus pacis, et amicitiae inter perennis famæ Henricum septimum nuper regem Angliæ, et dictum nobilis memoriæ Ferdinandum nuper regem Hispaniæ desuper initis et factis; visis quoque peramplius, et diligenter per nos inspectis, omnibus et singulis actis actitatis, literis, processibus, instrumentis, scripturis, monumentis, rebusq; aliis universis in dicta causa quomodolibet gestis et factis, ac aliis omnibus et singulis per nos visis et inspectis, atq; à nobis cum diligentia et maturitate ponderatis et recensitis, servatisq; ulterius per nos in hac parte de jure servandis, nec non partibus prædictis, videlicet præfato illustrissimo et potentissimo principe Henrico Octavo per ejus procuratorem idoneum coram nobis in dicta causa legitime comparente, dicta vero serenissima domina Catharina per contumaciam absente, cujus absentia divina repleatur præsentia, de consilio jurisperitorum et theologorum, cum quibus in hac parte communicavimus, ad sententiam nostram definitivam sive finale decretum nostrum in dicta causa ferendam sive ferendum sic duximus procedendum, et procedimus in hunc modum. Quia per acta actitata, deducta, proposita exhibita, et allegata, probata pariter et confessata, articulataque, capitulata, partis responsa, testium depositiones, et dicta instrumenta, monumenta, literas, scripturas, censuras, conclusiones magistrales, opiniones, consilia, assertiones, affirmationes, tractatus et foedera pacis, processus, res alias, et cætera promissa coram nobis in dicta causa respective habita, gesta, facta, exhibita et producta; necnon ex eisdem, et diversis aliis ex causis et considerationibus, argumentisq; et probationum generibus variis, et multiplicibus, validis quidem et efficacibus, quibus animum nostrum hac

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in parte ad plenum informavimus, plene et evidenter invenimus et comperimus dictum matrimonium inter præfatos illustrissimum et potentissimum principem et dominum nostrum Henricum Octavum, ac serenissimam dominam Catharinam, ut præmittitur, contractum et consummatum, nullum et omnino invalidum fuisse et esse, et divino jure prohibente contractum et consummatum extitisse: idcirco nos Thomas archiepiscopus primas et legatus antedictus, Christi nomine primitus invocato, ac solum Deum præ oculis nostris habentes, pro nullitate et invaliditate dicti matrimonii pronunciamus, decernimus et declaramus, ipsumque prætensum matrimonium fuisse et esse nullum et invalidum, ac divino jure prohibente contractum et consummatum, nulliusque valoris aut momenti esse, sed viribus et firmitate juris caruisse et carere, præfatoque illustrissimo et potentissimo principi Henrico Octavo et serenissimæ dominæ Catharinæ non licere in eodem prætenso matrimonio remanere, pronunciamus, decernimus et declaramus; ipsosque illustrissimum et potentissimum principem Henricum Octavum ac serenissimam dominam Catharinam, quatenus de facto et non de jure dictum prætensum matrimonium ad invicem contraxerunt et consummarunt, ab invicem separamus et divorciamus, atque sic separatos et divorciatos, necnon ab omni vinculo matrimoniali respectu dicti prætensi matrimonii liberos et immunes fuisse et esse, pronunciamus, decernimus et declaramus, per hanc nostram sententiam definitivam, sive hoc nostrum finale decretum, quam sive quod ferimus et promulgamus in his scriptis. In quorum præmissorum fidem et testimonium, has literas nostras testimoniales, sive præsens publicum sententiæ vel decreti instrumentum, exinde fieri ac per notarios publicos subscriptos, scribas et auctuarios nostros in ea parte specialiter assumptos, subscribi et signari, nostrique sigilli appensione jussimus et fecimus communiri.

He likewise passed judgment (confirming the king's marriage with queen Ann) at Lambeth, May 28, 1533. which is in the same Inspeximus.

XLVIII.

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Act. 5. anno regni 25.

An Act concerning the deprivations of the bishops of Salisbury and Worcester.

WHERE before this time the church of England, by the king's most noble progenitors, and the nobles of the same, have been founded, ordained, and established, in the estate and degree of prelatick dignities, and other promotions spiritual, to the intent and purpose that the said prelates, and other persons, having the said dignities and promotions spiritual, continually should be abiding, and reseants upon their said promotions within this realm; and also keep, use, and exercise hospitality, divine services, teaching and preaching of the laws of Almighty God, to such persons as were and have been within the precinct of their promotions or dignities, for the wealth of the souls of their givers and founders, greatly to the honour of Almighty God. Of the which said spiritual persons, the king's highness, and his most noble progenitors, have had right honourable, and well-learned personages, apt, meet, and convenient, for to guide and instruct his highness, and his most noble progenitors, in their counsels, concerning as well their outward as inward affairs, to be devised and practised for the utility and preservation of this realm; by reason whereof the issues, revenues, profits, and treasure, rising and coming of the said spiritual promotions and dignities, were and should be spent, employed, and converted within this realm, to the great profit and commodity of the king's subjects of the same. And where also by the laudable laws and provisions of this realm, before this time made, it hath been ordained, used, and established, that no person nor persons, of whatsoever estate, degree, or quality he or they were, should take or receive within this realm of England, to farm, by any procuracy, writ, letter of attorney, administrations, by indenture, or by any other mean, any benefice, or other promotion within this realm, of any person or persons, but only of

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the king's true and lawful subjects, being born under the king's dominions. And also that no person or persons, of what estate and degree soever he or they were, by reason of any such farm, procuracie, letter of attorney, administration, indenture, or by any other mean, as is aforesaid, should carry, convey, or cause to be carried and conveyed out of this realm any gold, silver, treasure, or other commodity, by letter of exchange, or by way of merchandise, or otherwise, for any of the causes aforesaid, to the profit or commodity of any alien, or other stranger, being born out of this realm, having any such promotion spiritual within the same, without licence of the king's highness, by the advice of his council, as by the same laws, statutes and provisions, more plainly at large it may appear; which said laudable laws, statutes, and provisions, were made, devised, and ordained, by great policy and foresight of the king's most noble progenitors, the nobles and commons of this realm, for the great profit, utility, and benefit of the same, to the intent that the gold, silver, treasure, riches, and other commodity of the same, by the occasion aforesaid, should not be exhausted, employed, converted, and otherwise transported out of this realm and dominions of the same, to the use, profit, and commodity of any stranger being born out of this realm, or the dominions of the same; but only to be spent, and used, and bestowed within the same, to the great comfort and consolation of the subjects of this realm. Notwithstanding which said wholsom laws, statutes, and provisions, the king's highness being a prince of great benignity and liberality, having no knowledge, nor other due information, or instruction of the same laws, statutes, and provisions, heretofore hath nominated, and preferred and promoted Laurence Campegius bishop of Sarum, with all the spiritual and temporal possessions, promotions, and other emoluments and commodities in any wise belonging or appertaining to the same: and also hath nominated, preferred, and promoted Hierome, being another stranger, born out of the king's said realm and dominions, to the see and bishoprick of Worcester, with all the spiritual and tem-

poral promotions, and other emoluments and commodities, in any wise belonging or appertaining to the same. Which said two bishops, and namely the bishop of Sarum, nothing regarding their duties to Almighty God, nor their cures of the said bishopricks, everith or for the more part of the time of their said promotions or profections into the same, have been, and yet be resident, dwelling and abiding at the see of Rome, or elsewhere, in other parts beyond the sea, far out and from any of the king's said dominions; by reason whereof, the great hospitality, divine service, teaching and preaching the laws, and examples of good living, and the other good and necessary effects before rehearsed, have been many years by-past, and yet continually be, not only withdrawn, decayed, hindred, and minished, but also great quantity of gold, silver, and treasure, to the yearly sum and value of 8000*l.* at the least, have been yearly taken and conveyed out of this realm, to the singular profit, and great enriching of the said bishops, and daily is like to be conveyed, transported, and sent, contrary to the purport and effect of the said former wholesome laws and statutes, to the great impoverishing of this realm, as well presently as for to come, if speedy remedy be not had therefore in brief time provided. In consideration whereof, be it enacted by the authority of this present parliament, that the said two several sees and bishopricks of Salisbury and Worcester, and either of them from henceforth, shall be taken, reputed, and accounted in the law to be utterly void, vacant, and utterly destitute of any incumbent, or prelate, &c.

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XLIX.

*A letter from Cromwel to Fisher, about the Maid of Kent,
anno 34, or end of 35.*

MY lord, in my right hearty wise I commend me to your lordship, doing you to understand, that I have received your letters dated at Rochester, the 18th day of this month; in which ye declare what craft and cunning

Cotton lib.
Cleop. E. 4.
fol. 85. •

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ye have to perswade, and to set a good countenance upon an ill matter, drawing some scriptures to your purpose; which well weighed, according to the places whereout they be taken, make not so much for your purpose as ye alledge them for; and where in the first leaf of your letters ye write, that ye doubt nothing, neither before God nor before the world, if need shall that require, so to declare your self, whatsoever hath been said of you, that ye have not deserved such heavy words, or terrible threats, as hath been sent from me unto you by your brother.

How ye can declare your self afore God and the world, when need shall require, I cannot tell; but I think verily that your declaration made by these letters, is far insufficient to prove that ye have deserved no heavy words in this behalf. And to say plainly, I sent you no heavy words, but words of great comfort, willing your brother to shew you how benign and merciful the prince was: and that I thought it expedient for you to write unto his highness, and to recognize your offences, and desire his pardon, which his grace would not deny you now in your age and sickness; which my counsel I would ^aye had followed, rather than to have written these letters to me, excusing your self ^bas though there were no manner of default in you. But, my lord, if it were in another manner of case than your own, and out of the matter which ye favour, I doubt not but that ye would think him that should have done as ye have done, not only worthy heavy words, but also heavy deeds; for where ye labour to excuse your self of your hearing, ^cbelieving, and concealing of the Maiden's false and feigned revelations, and of your manifold sending of your chaplains unto her, by a certain intent which ye pretend your self to have had, to know by communing with her, or by sending your chaplains ^dto her, whether her revelations were of God, or no, alledging divers scriptures that ye were bound to prove them, ^eand not to reject them after they were proved. My lord, whether ^fye have used a due means to

^a you ^b altho' ^c bribing, ^d unto ^e and to receive, ^f you

try her and her revelations, or no, it appeareth by the process of your own letters. For where you write that ye had conceived a great opinion of the holiness of this woman, for many considerations rehearsed in your letters, comprised in six articles; whereof the first is groundd upon the bruit and fame of her; the second, upon her entring into religion after her trances and diffiguration; the third, upon rehearsal that her ghostly father being learned and religious, should testify that she was a [†]maid of great holiness; the fourth, upon the report that divers other vertuous priests, men of good learning and reputation, should so testifie of her, with which ghostly father, and priests, ye never spake, as ye confess in your letters; the fifth, upon the praises of my late lord of Canterbury, which showed you, as ye write, that she had many great visions; the sixth, upon the saying of the prophet Amos, *Non faciet Dominus Deus verbum, nisi revelaverit secretum suum ad servos suos prophetas*. By which considerations ye were induced to the desire to know the very certainty of this matter, whether these revelations which were pretended to be shewed to her from God, were true revelations or not. Your lordship in all the sequel of your letters, shew not that ye made any further trial upon the truth of her and her revelations, but only in communing with her and sending your chaplains to her with idle questions, as of the three Mary Magdalens, by which your communication and sending, ye tried out nothing of her falshood, neither (as it is credibly supposed) intended to do as ye might have done, ^hmany ways more easily than with communing with her, or sending to her; for little credence was to be given to her, affirming her own feigned revelations to be from God; for if credence should be given to every such lewd person as would affirm himself to have revelations from God, what readier way were there to subvert all common-weals and good orders in the world?

Verily, my lord, if ye had intended to ⁱtrie out the truth of her, and of her revelations, ye would have taken another way with you, first, ^kye would not have been converted

[†] woman^h in any wise moreⁱ trace^k you

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with the vain voices of the people, making bruits of her trances and diffiguration, but like a wise, discreet, and circumspect prelate, ye should have examined (as other ¹have) such sad and credible persons as were present at her trances and diffigurings, not one or two, but a good number, by whose testimony ye should have proved, whether the bruits of her trances and diffigurations were true or not. And likewise ye should have tried by what craft and perswasion she was made a religious woman; and if ye had been so desirous, as ye ^mpretende, to enquire out the truth or falshood of this woman, and of her revelations; it is to be supposed ye would have spoken with her good, religious, and well learned ghostly father ⁿor this time, and also with the vertuous and well-learned priests, (as they were esteemed) of whose reports ye ^owere informed by them which heard them speak; or ye would also have been minded to see the book of her revelations, which was offered you, of which ye might have had more trial of her and ^pof her revelations, than of a hundred communications with her, or of as many sendings of your chaplains unto her. As for the late lord of Canterbury's saying unto you, that she had many great visions, it ought to move you never a deal to give credence unto her or her revelations; for the said lord knew no more certainty of her or of her revelations, than ^qye did by her own report. And as touching the saying of Amos the prophet, I think verily the same moved you but a little to hearken unto her; for ^rsithe the consummation and the end of the Old Testament, and ^ssithens the passion of Christ, God hath done many great and notable things in the world, whereof he shewed nothing to his prophets that hath come to the knowledge of men. My lord, all these things moved you not to give credence unto her, but only the very matter whereupon she made her false prophecies; to which ~~matter~~ ye were so affected, as ye be noted to be ^ton all matters which ye enter once into, that nothing could

¹ since ^m pretended, ⁿ e're ^o would have been informed
^p of em. ^q he ^r sithence ^s sithen ^t in

come amiss that made for that purpose. And here I ^uappeal your conscience, and instantly desire you to answer. Whether if she had shewed you as many revelations for the confirmation of the king's grace's marriage, which he now enjoyeth, as she did to the contrary, ye would have given as much credence to her as ^xye have done, and would have let the trial of her and her revelations, to overpass ^ythis many years, where ye dwelt not from her but twenty miles in the same shire where her trances, and diffigurings, and prophecies in her trances were surmised, and ^zcounterfeited. And if percase ye will say (as is not unlike but ye will say, minded as ye were wont to be) that the matter be not like, for the law of God, in your opinion, standeth with the one and not with the other: surely, my lord, I suppose there had been no great ^acause more to reject the one than the other; for ye know by scriptures of the Bible, that God may by his revelation dispense with his own law, as with the Israelites spoiling the Ægyptians, and with Jacob to have four wives, and such other. Think you, my lord, that any indifferent man, considering the quality of the matter, and your affections, and also the negligent passing over of such lawful trials as ye might have had of the said ^bnun, and her revelations, is so dull, that cannot perceive and discern that your communing, and often sending to the said ^cnun, was rather to hear and bruit ^dmore of her revelations, than to try out the truth and falshood of the same? and in this business, I suppose, it will be hard for you to purge your self before God, or the world, but that ye have been in great default in hearing, believing, and concealing such things as tended to the destruction of the prince; and that her revelations were bent and purposed to that end, it hath been duly proved afore as great assembly and council of the lords of this realm, as hath been seen many years ^eheretofore out of a parliament. And what the said lords deemed them worthy to suffer, which said, heard, believed,

^u appeal to your ^x the same done, ^y those ^z reported.

^a cause to trust the one more than ^b maiden, ^c maid, ^d many

^e meet

BOOK and concealed those false revelations, be more terrible than
II. any threats spoken by me to your brother.

And where ye go about to defend, that ye be not to be blamed for concealing ^fher revelations concerning the king's grace, because ye thought it not necessary to rehearse them to his highness, for ^svii. causes following in your letters; afore I shew you my mind concerning these causes, I suppose that albeit ^hye percease thought it not necessary to be shewed to the prince by you, yet that your thinking shall not be your trial, but the law must define whether ye oughted to utter it or not.

And as to the first of the said seven causes; albeit she told you that she had shewed her revelations concerning the king's grace to the king her self; yet her saying, or others, discharged not you, but that ye were bound, by your fidelity, to shew to the king's grace that thing which seemed to concern his grace and his reign so nighly: for how knew you that she showed these revelations to the king's grace, but by her own saying, to which ye should have given no such credence as to forbear the utterance of so great matters concerning a king's weal? and why should you so ⁱsinisterly judge the prince, that if ye had shewed ^kthese same unto him, he would have thought that ye had brought that tale unto him, more for the strengthening and confirmation of your opinion, than for any other thing else. Verily, my lord, whatsoever your judgement be, I see daily such benignity and excellent humanity in his grace, that I doubt not but his highness would have accepted it in good part, if ye had shewed the same revelations unto him, as ye were bounden by your fidelity.

To the second cause: albeit she showed you not that any prince, or other temporal lord should put the king's grace in danger of his crown; yet there were wayes enough by which her said revelations might have put the king's grace in danger, as the foresaid council of lords have substantially and duly considered: and therefore albeit she shewed you not

^f the

^s six

^h you

ⁱ sincerely

^k the

the means whereby the danger should ensue to the king, yet ye were nevertheless bounden to shew him of the danger.

To the third; think you, my lord, that if any person would come unto you, and shew you, that the king's destruction were conspired against a certain time, and would fully shew you that he were sent from his master to shew the same to the king, and will say further unto that, he would go straight to the king; were it not yet your duty to certifie the king's grace of this ¹ revelation, and also to enquire whether the said person had done his foresaid message or no? Yes verily, and so were ye bound, tho' the ^m nunne shewed you it was her message from God to be declared by her to the king's grace.

To the fourth; here ye translate the temporal duty that ye owe to your prince, to the spiritual duty of such as be bound to declare the word of God to the people, and to shew unto them the ill and punishment of it in another world; the concealment whereof pertaineth to the judgment of God, but the concealment of this matter pertaineth to other judges of this realm.

To the fifth; there could no blame be ⁿ attested to you, if ye had shewed the ^o munnys revelations to the king's grace, albeit they were afterward found false, for no man ought to be blamed doing his duty: and if a man would shew you secretly, that there were a great mischief intended against the prince, were ye to be blamed if ye shewed him of it; albeit it ^p were a feigned tale, and the said mischief were never imagined?

To the sixth; concerning an imagination of ^q master Pary, it was known that he was beside himself, and therefore they were not blamed that made no report thereof; but it was not like in this case, for ye took not this ^r nunne for a mad woman, for if ye had, ye would not have given unto her so great credence as ye did.

To the final, and seventh cause; where ye lay unto the

¹ revelation, ^m maiden ⁿ imputed ^o maidens ^p was a
feigned talk, ^q Mr. ^r maiden

BOOK
II.

charge of our sovereign ^athat he hath unkindly entreated you with grievous words, and terrible letters, for showing his grace truth in his great matter, whereby ye were discomforted to shew unto him the ^tnunnys revelations: I believe that I know the king's goodness, and natural gentleness so well, that his grace would not so unkindly ^uhandle you, as your unkindly ^xwrote of him, unless ye gave him other causes than be expressed in your letters. And whatsoever the king's grace hath said or written unto you heretofore, yet ^ythat notwithstanding ye were nevertheless bounden to utter to him those pernicious revelations.

Finally; where ye desire, for the passion of Christ, that ye be no more ^zqwickened in this matter, for if ye be put to that strait, ye will not lose your soul, but ye will speak as your conscience ^aleadeth you, with many ^bmoo words of great courage. My lord, if ye had taken my counsel sent unto you by your brother, and followed the same, submitting your self, by your letters, at the king's grace, for your offences in this behalf, I would have trusted that ye should never be ^cquykkennd in this matter more. But now, where ye take upon you to defend the whole matter, as ye were in no default, I cannot so far promise you: and surely, my lord, if the matter come to trial, your own confession in this letter, besides the witness which be against you, will be sufficient to condemn you: wherefore, my lord, I will eft-soons advise you, that laying apart all such excuses as ye have alledged in your letters, which in my opinion be of small effect, as I have declared, ye beseech the king's grace, by your letters, to be your gracious lord, and to remit unto you your negligence, over-sight, and offence, committed against his highness in this behalf; and I dare undertake that his highness shall benignly accept you into his gracious favour, all matters of displeasure past afore this time forgotten and forgiven. As touching the speaking of your conscience, it is thought that ye have written and have spoken as much as ye can, and many things, as some right

^a that hath so unkindly ^t maidens ^u handled ^x writings him,
^y that om. ^z twiched ^a bindeth ^b more ^c quykkrand

probably ^dbelieve, against your own conscience: and men report, that at the last convocation, ye spake many things which ye could not well defend; and therefore it is not greatly feared what ye can say or write in that matter, howsoever ye be ^equykkened and startled. And if ye had taken, &c.

L.

A renunciation of the pope's supremacy signed by the heads of six religious houses.

QUUM ea sit non solum Christianæ religionis et pietatis ratio, sed nostræ etiam obedientiæ regula, ut domino nostro Henrico, ejus nominis pro dominio regio Octavo, cui uni et soli post Christum Jesum Salvatorem nostrum debentur omnia, non modo omnimodam in Christo, et eandem sinceram, perpetuamq; animi devotionem fidem, observantiam, honorem, cultum, reverentiam præstemus, sed etiam de eadem fide et observantia nostra rationem quotiescunque postulabitur reddamus, et palam omnibus si res poscat libentissime testemur: nôrint universi ad quos præsens scriptum pervenit, quod nos priores et conventus fratrum, viz. prædicatores Langley Regis ordinis Sancti Dominici, Minorum de Ailsbury ordinis Sancti Francisci, prædicatorum Dunstoliæ ordinis antedicti, Minorum de Bedford ordinis Sancti Francisci, fratrum Carmelitarum de Hechyng ordinis Beatæ Mariæ, Minorum de Morea ordinis Sancti Francisci, una ore et voce, atque unanimi omnium et singulorum consensu et assensu, hoc scripto nostro sub sigillis nostris communibus, et in domibus nostris capitularibus dato, pro nobis et successoribus nostris omnibus et singulis, in perpetuum profite-mur, testamur et fideliter promittimus et spondemus, nos dictos priores et conventus et successores nostros, omnes et singulos, integram, inviolatam, sinceram perpetuamq; fidem, observantiam et obedientiam semper præstituros erga dominum regem nostrum Henricum Octavum, et erga serenissimam reginam Annam uxorem ejusdem, et erga castum sanc-

^d believes^e quykkrane

BOOK
II.

tumq; matrimonium nuper non solum inter eosdem juste et legitime contractum, ratum et consummatum, sed etiam tam in duabus convocationibus cleri, quam in parlamento dominorum spiritualium et temporalium atq; communium in eodem parlamento congregatorum et præsentium determinatum, et per Thomam Cantuarien. episcopum solenniter confirmatum, et erga quamcunq; aliam ejusdem Henrici regis nostri uxorem, post mortem prædictæ Annæ nunc uxoris suæ legitimæ ducendam, et erga sobolem dicti domini regis Henrici ex prædicta Anna legitime tam progenitam quam progignendam, et erga sobolem dicti domini regis ex alia quacunq; legitima uxore post mortem ejusdem Annæ legitime progignendam, et quod eadem populo notificabimus, prædicabimus et suadebimus, ubicunque dabitur locus et occasio. Item, quod confirmatum, ratumq; habemus semperq; perpetuo habituri sumus, quod prædictus rex noster Henricus est caput ecclesiæ Anglicanæ. Item, quod episcopus Romanus, qui in suis bullis papæ nomen usurpat et summi pontificis principatum sibi arrogat, nihilo majoris neq; auctoritatis aut jurisdictionis habendus sit, quam cæteri quivis episcopi in Anglia alibi in sua cujusq; diocese. Item, quod soli dicto domino regi et successoribus suis adhærebimus, atq; ejus proclamationes, insuper omnes Angliæ leges atque etiam statuta omnia, in parlamento et per parliamentum decreta, confirmata, stabilita et ratificata, perpetuo manutenebimus. Episcopi Romani legibus, decretis et canonibus, si qui contra legem divinam et sacram scripturam esse invenientur, in perpetuum renunciantes. Item, quod nullus nostrum omnium in ulla vel privata vel publica concione quicquam ex sacris scripturis desumptum ad alienum sensum detorquere præsumet, sed quisquis Christum ejusque vera prædicabit catholice et orthodoxe. Item, quod unusquisque in suis orationibus et comprecationibus de more faciendis, primum omnium regem, tanquam supremum caput ecclesiæ Anglicanæ, Deo et populi precibus commendabit; deinde reginam cum sua sobole, tum demum archiepiscopum Cantuarien. cum cæteris cleri ordinibus, prout videbitur. Item, quod omnes et singuli prædicti pri-

ores et conventus et successores nostri, conscientiae et iurandi sacro firmiter obligamur, quod omnia et singula praedicta fideliter et in perpetuum observabimus. In cuius rei testimonium huic instrumento, vel scripto nostro, communia sigilla nostra appendimus, et nostra nomina propria quisque manu subscripsimus, sacris in domibus nostris capitularibus, die quinto mensis Maii, anno Christi millesimo quingentesimo trigesimo quarto, regni vero regis nostri Henrici Octavi vicesimo sexto.

Ego frater Richardus Ingerth prior conventus, et praedicator Langley Regis, cum consensu omnium fratrum conventus praedicti, non coactus sed sponte subscribo.

Ego frater Johannes Cotton, prior conventus praedicatorum Dunstabliae, cum assensu omnium fratrum conventus praedicti, non coactus sed sponte subscribo.

Ego frater Johannes Wyatt, sacrae theologiae doctor conventus Bed. una cum assensu omnium fratrum, sponte hoc scribo et non coactus.

Ego frater Joannes Suttler, prior conventus Carmelitarum Hicchia, cum assensu omnium fratrum conventus praedicti, non coactus sed sponte subscribo.

Ego frater Edwardus Tryley sacrae theologiae baccalaureus, et conventus Ailsberiae, cum assensu omnium fratrum conventus praedicti, non coactus sed sponte subscribo.

Ego frater Johannes Chapmanus, sacrae theologiae baccalaureus, magister immerito conventus Mare, cum assensu omnium fratrum, mea sponte subscribo.

Another declaration to the same purpose, mutatis mutandis, is made by the prioress of Bedford in Kent, of the order of St. Dominick, May 4. 1534. regn. vicesimo sexto. Rot. Clausa.

A mandate for the consecration of a suffragan bishop.

Rot. Pat. 2. Par. 27 regni.

REX reverendissimo in Christo patri et per dilecto consiliario nostro Thomæ Cantuariensi episcopo salutem. Reverendus pater et dilectus consiliarius noster Richardus Norwicensis episcopus nobis significavit, quod diocesis sue episcopi suffraganei solatio, qui sue sollicitudinis partem sustinere consuevit, destituta est et existit; et ideo reverendos patres Gregorium abbatem monasterii beatæ Mariæ de Leystone, et Thomam Mannyng priorem monasterii beatæ Mariæ de Butley, Norwicen. dioc. ordine sacerdotali rite insignitos, et legitimo matrimonio natos, et in ætate legitima constitutos, virosque in spiritualibus et temporalibus multum circumspectos, quibus de canonicis nihil obviant instituta, quo minus (ut asserunt) ad episcopalem suffraganei dignitatem admitti possint et deberent, nobis per suas literas suo magno sigillo munitas præsentavit, humiliter et devote supplicans, quatenus nos alterum ipsorum sic præsentatorum ad aliquam sedem episcopi suffraganei infra provinciam Cantuariensem existentem nominare, ipsique sic nominato stylum, titulum et dignitatem hujusmodi sedis donare dignaremur: unde nos ex gratia nostra speciali et mero motu nostris, dictum reverendum patrem Thomam Mannyng priorem monasterii beatæ Mariæ de Butley prædicti, alterum ex dictis, præsentamus in episcopum suffraganeum sedis Gips vici Norwicen. dioces. antedictæ, nominamus, eique stilum, titulum et dignitatem ejusmodi sedis episcopi suffraganei damus et conferimus. Atque hæc vobis tenore præsentium, significamus, requirentes vos, quatenus eundem patrem sic per nos nominatum, in episcopum suffraganeum ejusdem sedis Gips vici consecretis, eique benedictionem ac omnia episcopalia insignia conferatis; cæteraq; omnia et singula quæ vestro in hac parte incumbunt officio pastoralis, juxta modum et formam statuti parlamenti in vicesimo sexto anno regni nostri apud Westmonasterium nuper editi peragetis.

T. R. apud Westm. 6. die Martii 27 regni.

AD LIBRUM TERTIUM.

I.

Instructions for the general visitation of the monasteries.

Articuli regie inquisitionis, in monasticam vitam agentes, exponendi, et præcipue in exemptos à jurisdictione diæcesana, jam tantum regie majestati et ejus jurisdictioni subditos et subjectos, ac hujus inclyti sui regni statutis et legibus, nullisque aliis penitus, obnoxios et astrictos.

In primis; Whether divine service be solemnly sung, said, observed, and kept in this monastery, ^aaccordingly to the number and the abilities thereof, by night and by day, in due time and hours? and how many be present commonly at mattins, and other service, and who be absent, and so accustomed to be, without cause or sickness? BOOK
III.
Cotton lib.
Cleop. E. 4.
fol. 13.

2. *Item*; How many monks, canons regulars or nuns, be within this monastery, and how many there ought to be, and whether the number be compleat according to the founder's will, or the statutes, ordinances, and laudable custom of this house; and whether the number be augmented or diminished now of late?

3. *Item*; Who were the first founders of this house?

Fundationem primam, secundam, tertiam, et quotquot habent, exhibeant.

4. *Item*; Whether this house hath ^bhad any encrease of lands given to it sithence the first foundation thereof? by whom? by how many? and when?

5. *Item*; To what sum of money ^cthole revenues and rents of this house ^ddoth extend and amount ^eunto yearly?

6. *Item*; Whether this house was ever ^ftranslated from one

^a according ^b had *om.* ^c those ^d do ^e unto *om.* ^f translated

BOOK habit and order to another? by whose authority? and for
 III. what cause?

Translationem exhibeant.

7. *Item*; How the lands and possessions appertaining unto this monastery, given by the first founder, and all other lands given sithence the first foundation, were granted, given, and established, and so first brought to mortemain? whether by the only authority of the giver, or by the authorization of the prince for that time reigning; and by what tenour and form ye hold them?

Donationem et confirmationem exhibeant.

8. *Item*; What evidence have ye to shew for all and singular your lands, manors, tenements, and other your possessions mortisate, and given unto you, and this your monastery?

9. *Item*; Wherefore, for what causes and considerations ye were exempt from your diocesan? and what was your suggestion and motive at the obtaining of your said exemption?

Exemptionem exhibeant.

10. *Item*; Whether ye have any private, peculiar, or local statutes, confirmations, ordinances, or rules, made only for the behoof, good order, and singular weal of this house, besides the rules of your profession? and whether they were made either by your founders before your exemption, or by the good fathers of this house, with the whole consent of the brethren, ^hthen being sithen your exemption: to what use they were made, and how ye observe them?

Statuta illa localia, et alia quotquot habent, exhibeant.

11. *Item*; By what way and form the master of this house was elected and chosen? and whether all the brethren having, or ought to have by the law, statutes, or laudable custom of this house, voices in the election, were present in the same election, or lawfully called or cited to it?

12. *Item*; Whether any persons excommunicate, suspended, or interdicted, did give voices in the same election?

13. *Item*; Within what time after the election was made

^s you

^h then om.

and done, the master of this house was confirmed? and by whom? BOOK
III.

14. *Item*; Whether unto the confirmation, all that had interest, or that would object against the same, were lawfully cited, monished, and called?

Exhibeat electionem, confirmationem et titulum suæ incumbencie.

15. *Item*; What rule the master of this house, and other the brethren, do profess?

16. *Item*; How many be professed, and how many be novices; and whether the novices have like habit, or use to wear an habit distinct from the habit of the brethren professed?

17. *Item*; Whether ye do use to profess your novices in due time, and within what time and space after they have taken the habit upon them?

18. *Item*; Whether the brethren of this house do know the rule that they have professed, and whether they keep their profession according to that their rule, and custom of this house; and in especial, the three substantial and principal vows, that is to say, *poverty, chastity, and obedience*?

19. *Item*; Whether any of the brethren use any propriety of money, or of plate, in their chambers: or of any other manner thing unwarre of the master, and without his knowledge and licence, or by his sufferance and knowledge? and for what cause?

20. *Item*; Whether ye do keep chastity, not using the company of any suspect woman within this monastery, or without? And whether the master, or any brother of this house be suspected upon incontinency, or defamed for that he is much conversant with women?

21. *Item*; Whether women useth and resorteth much to this monastery by back ways, or otherwise? and whether they be accustomedly, or at any time lodged within the precinct thereof?

22. *Item*; Whether the master, or any brother of this house, useth to have any boys or young men laying with him?

BOOK
III.

23. *Item*; Whether the brethren of this house keep their obedience, being ready at their master's commandment, in all things honest, lawful, and reasonable?

Sequuntur regulæ cæremoniales.

24. *Item*; Whether ye do keep silence in the church, cloister, fraitrie, and dormitorie, at the hours and time specified in your rule?

25. *Item*; Whether ye do keep fasting and abstinence, according to your rules, statutes, ordinances, and laudable customs of this house?

26. *Item*; Whether ye abstain from flesh in time of Advent, and other times declared and specified by the law, rules, and laudable customs of this house?

27. *Item*; Whether ye wear shirts and sheets of ⁱwooll, or that ye have any constitution, ordinance, or dispensation, granted or made to the contrary, by sufficient and lawful authority?

Profitentes regulam Benedicti quam arctissime tenentur ad prædicta cæremonialia observanda.

28. *Item*; Whether ye do sleep altogether in the ^kdortre, under one roof, or not?

29. *Item*; Whether ye have all separate beds, or any one of you doth lay with another?

30. *Item*; Whether ye do keep the fraitry at meals, so that two parts, or the least, the ^lmore part of the whole covent be always there, unless the master at every one time dispense with you to the contrary?

31. *Item*; Whether ye do wear your religious habit continually, and never leave it off but when ye go to bed?

32. *Item*; Whether every brethren of this house have lightly departed hence, and hath gone to any other house of like order and profession, without special letters and licence of their master?

33. *Item*; Whether the master and brethren of this house have received and admitted any brother of another house, without special licence and letters of his master and head?

34. *Item*; Whether any of you, sithence the time of your

ⁱ woollen,

^k dormitorie,

^l two parts

profession, hath gone out of this house to his friends, or otherwise?

35. *Item*; How oft-times he did so, and how long at every time ye tarried forth?

36. *Item*; Whether ye had special licence of your master so to go forth, or not?

37. *Item*; Whether at every time of your being forth, ye changed or left off your habit, or every part thereof?

38. *Item*; Whether ye, or any of you be, or hath been, in manifest apostasy, that is to say, fugitives or vagabonds?

39. *Item*; For what cause or occasion ye have so gone forth and been in apostasy? and whether the cause of your going forth was by reason of the great cruelty of your master, or by his negligence, not calling you home to your cloister?

40. *Item*; Whether ye be weekly shaven, and do not nourish or suffer your hair to be long? and whether ye wear your apparel according to the rule, not too excessive, nor too exquisite; and in like wise the ^mtrappors of your horses, and other your bearing beasts?

41. *Item*; Whether the master and head of this house do use his brethren charitably; without partiality, malice, envy, grudge, or displeasure more shewed to one than to another?

42. *Item*; Whether he do use his disciplines, corrections, and punishments upon his brethren, with mercy, pity, and charity, without cruelty, rigorousness, and enormous hurt, no more favouring one than another?

43. *Item*; Whether any brother, or religious person of this house, be incorrigible?

44. *Item*; Whether the master of this house do use his brethren charitably when they be sick and diseased? and whether in time of their sickness he do procure unto them physicians, and all other necessities?

45. *Item*; Whether he make his accompts (as he ought to do) once every year before his brethren, and chiefly the seniors and officers, to the intent they may be made privy

^m trappo's

P 2

BOOK
III.

to the state and condition of the house, and know perfectly the due administration thereof?

46. *Item*; Whether the prior, ⁿtesprior, sellerer, kitchener, terrure, sacristen, or any such-like officer, having administration of every manner revenues of this house, do make his whole and true accompt, according as he is bound to do, not applying any thing by him received to his own proper use or commodity?

47. *Item*; Whether any religious person of this house do bear, occupy, or exercise more offices than one, for, and to his own singular commodity, advantage, or profit, by the partial dealing of the master?

48. *Item*; Whether all and singular the revenues and profits of this house be converted and employed to the behoove and use thereof, and of the brethren, and according to the founder's mind and giver?

49. *Item*; Whether the master do make sufficient reparations upon his monastery, as the church and all other housings thereto adjoynd, and also upon all other the lands, granges, farms, and tenements belonging to the same, and whether he suffer any dilapidation, decay, or ruine in any part of them?

50. *Item*; Whether there be any inventory made of all and singular the moveables, goods, which from time to time have been, and yet be in this house, as of jewels, reliques, ornaments, vestiments, ready money, plate, bedding, with other utensils; also of corn, ^o catalls and other commodities, to the intent the state and condition of this house may be always known?

51. *Item*; That ye express truly and sincerely the whole state and condition of this house, as in money, plate, ^pcattal, corn, and other goods?

52. *Item*; Whether this monastery be indebted? to whom? and for what cause?

53. *Item*; Whether any of the lands be sold, or mortgaged; and for what sums?

54. *Item*; Whether any be let to farm by the master of

ⁿ subtprior,

^o chattels

^p cattel,

this house for term of years, and for how many years? and specially whether they be letten for small sums, or for less sums than they were wont to be letten for, to the intent to have great sums of ready money before hand? BOOK
III.

55. *Item*; Whether he do enforce, compel, or constrain his brethren, or any of them, to consent to the sealing of any leases, grants, farm-holds, annuities, corrodies, or any other alienations?

56. *Item*; Whether the plate and jewels, or any part or parcel thereof or of any other moveable goods of this house be laid to pledge, sold, or alienated for a time, or for ever? for what cause, and to whom? or otherwise imbezled, or consumed?

57. *Item*; Whether the master of this house be wont to give under his seal of office, or covent-seal, farms, corrodies, annuities, or offices, to his kinsfolk, alliances, friends, or acquaintance, for term of years, or otherwise, to the hurt, hindrance, dammage, and impoverishment of this house?

58. *Item*; Whether he be wont to grant any patent, or covent-seal, without the consent of his brethren?

59. *Item*; Whether the covent-seal of this house be surely and safely kept under three keys; that is to say, one remaining and being in the custody of the master, and the other two in the custody of two seniours?

60. *Item*; Whether the muniments and evidences of the lands, rents, and revenues of this house, be safely kept from vermine and moistness?

61. *Item*; Whether the master do keep hospitality according to the ability of this house, and in like manner as other fathers thereof have done heretofore?

62. *Item*; Whether the master of this house, in receiving any novice, being of will and toward mind to enter into religion, hath demanded or received, or convented to receive any money, rewards, or any other temporal commodities of him so entring, or willing to enter, or of any other his friends? and whether for not promising, granting, or giving

1 the om.

2 his

3 hereof

4 willing

BOOK
III.

such rewards or gifts, any hath been repelled and not received?

63. *Item*; Whether the novices, and other received into religion, have a preceptor and master deputed unto them to teach them grammar and good letters?

64. *Item*; Whether any seniour of this house be deputed to declare, inform, and instruct them their rules, and whereunto they shall be bounden to observe and keep, after their profession?

65. *Item*; Whether any of you have taken upon him the habit and profession of your religion, chiefly for the intent, hope, or trust to be made head and master of this house?

66. *Item*; Whether the master of this house, in giving any advocacy, nomination, presentation, or collation of any parsonage, vicarage, chapel, or benefice of the patronage and gift of this house, do take, or use to take any manner pension, portion, or other commodity or gains; or else doth make any convention or compaction, whereby any lucre may ensue to him in that behalf?

67. *Item*; Whether he do receive, or use to receive, the fruits and revenues of every such benefice vacant, or use to borrow any money of him to whom he intendeth to give such benefice unto, expressly covenanting or intending, that he so obtaining the said benefice, shall freely and clearly remit the said money so borrowed?

68. *Item*; What, and how many benefices the master of this house doth occupy and keep in his own hands?

69. *Item*; Whether the same benefices be appropriate and united to this house by sufficient authority?

70. *Item*; Whether the master of this house doth make distributions amongst the parishioners of the benefices appropriate, and doth keep and observe all and singular other provisions and ordinances specified and expressed in the appropriations of the same benefices?

*Exhibeant omnes et singulas appropriationes, una cum ordinationibus et donationibus *vicariarum.*

71. *Item*; Whether he do promote unto such benefices,

* doth

* vicariatuum.

as be of his gift, sufficient and able persons in learning, manners, and vertue?

72. *Item*; Whether any brother of this house do serve any parish-church, being appropriate and united to the same, and how many churches appropriate be so served?

73. *Item*; Whether the master of this house hath and possesseth any benefice with cure, or any other dignity with his abby?

Si aliquod tale ⁊ habeat, dispensationem exhibeat.

74. *Item*; Whether the master of this house at any time since he was first made abbot, or master, did know or believe that he was suspended, or excommunicate, either by the law, or by any judge; and whether he knowing or supposing himself ^zso to be, did sing mass in the mean time, and before he was absolved?

In visitatione monialium ad præmissa addantur hæc.

75. *Item*; Whether this monastery hath good and sufficient enclosure, and whether the doors ^aand windows be diligently kept shut, so that no man can have any entry into the same, or any part thereof, at inconvenient times?

^b*Perquam necessarium erit visitatori* ^c*circuire monasterium, ac videre et rimare dispositionem ædificiorum, et an sint aliqua loca pervia per quæ secrete intrari possit; et* ^d*ut una secum habeat abbatissam cum duabus aut tribus senioribus* ^e*monialibus, quibus tum interroget, an ostia monasterii singulis quibusque noctibus sub clavibus clausa teneantur, et quæ earum monialium senio confectarum, vel an abbas ipsa clavium custodiam tempore nocturno* ^f*habeat et teneat: nam non est tutum clavium & custodiam junioribus committere.*

76. *Item*; Whether strangers, both men and women, useth commonly to have communication with the sisters of this house, without licence of the abbess or prioress, specially in secret places, and in the absence of their sisters?

[⁊] *habet,* ^z *so om.* ^a *and the windows* ^b *Propter quod necessarium*
^c *circumire* ^d *ut om.* ^e *monialibus, à quibus* ^f *habeant et teneant:*
[⁊] *custodem*

BOOK
III.

77. *Item*; Whether any sister of this house were professed for any manner of compulsion of her friends ^b or kinsfolk, or by the abbess or prioress?

78. *Item*; Whether any of the sisters of this house useth to go forth any whither out of the precinct thereof, without special licence of their abbess or prioress?

79. *Item*; Whether any sister doth use her habit continually out of her cell?

80. *Item*; Wherein every one of you occupieth her self, beside the time of divine service?

81. *Item*; Whether any sister of this house hath any familiarity with religious men, secular priests, or laymen, being not ⁱnigh of kin unto them?

82. *Item*; Whether any sister of this house hath been taken and found with any such accustomedly so communing, and could not shew any reasonable cause why they ^kso did?

83. *Item*; Whether any of you doth use to write any letters of love, or lascivious fashion to any person, or receive any such, or have any privy messengers coming and resorting unto you, or any of you, with ^ltokens or gifts, from any manner secular person or other?

84. *Item*; Whether any of you doth use to speak with any manner of person, by night or by day, by grates or back windows, or other privy places within this monastery, without licence of your head?

85. *Item*; Whether the confessor of this house be a discreet man, of good learning, vertue, and honest behaviour, of good name and fame, and whether he hath been always so taken?

86. *Item*; How oftimes in the year the sisters of this house useth to be confessed and communicate?

Restat pro ecclesiis collegiatis, hospitalibus, ecclesiis cathedralibus, parochialibus ecclesiis, episcopo, et archiepiscopo, pro ordine ^mJerosolamitarum?

Exhibeant omnia scripta, munimenta, ⁿinstrumenta.

^b and kinsfolks,
^m *Jerosolamitarum?*

ⁱ near
ⁿ *instrumenta om.*

^k did so?

^l token

inventaria, °scedulæ quæcunq; unde aliquid cognitionis eorum reformationi monasteriorum, sive domorum utilitati, necessariae p expiscari, aut quoquo modo colligi possit.

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II.

General injunctions to be given on the king's highness's behalf in all monasteries and other houses, of whatsoever order or religion they be.

FIRST ; That the abbot, prior, or president, and all other brethren of the place that is visited, shall faithfully, truly, and heartily, keep and observe, and cause, teach, and procure to be kept and observed of other, as much as in them may lie, all and singular contents, as well in the oath of the king's highness succession, given heretofore by them, as in a certain profession lately sealed with the common seal, and subscribed and signed with their own hands : also that they shall observe and fulfil, by all the means that they best may, the statutes of this realm, made or to be made, for the °extirpation and taking away of the usurped and pretended jurisdiction of the bishop of Rome within this realm : and for the assertion and confirmation of the authority, jurisdiction, and prerogative of our most noble sovereign lord the king, and his successors ; and that they shall diligently instruct their juniors and youngers, and all other committed to their cure, that the king's power is by the laws of God most excellent of all under God in earth ; and that we ought to obey him afore all other powers, by God's prescript ; and that the bishop of Rome's jurisdiction or authority heretofore usurped, by no means is founded or established by holy scripture : but that the same, partly by the craft and deceit of the same bishop of Rome, and by his evil and ambitious canons and decretals ; and partly by the toleration and permission of princes, by little and little hath grown up ; and therefore now, of most right and equity, is taken away, and clean expelled out of this realm.

° *schedulas quascunq;*

p *expiscari,*

° suppression

b your

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Also, that the abbot, prior, or president and brethren, may be declared, by the king's supream power and authority ecclesiastical, to be absolved and loosed from all manner obedience, oath and profession by them heretofore perchance promised, or made to the said bishop of Rome, or to any other in his stead, or occupying his authority, or to any other foreign power, or person: and nevertheless let it be enjoined to them, that they shall not promise or give such oath or profession to any such foreign potentate hereafter. And if the statutes of the said order religious, or place, seem to bind them to obedience, or subjection, or any other recognizance of superiority to the said bishop of Rome, or to any other foreign power, potentate, person or place by any ways: such statutes, by the king's grace's visitors, be utterly annihilate, broken, and declared void and of none effect; and that they be in no case bounden or obligate to the same, and such statutes to be forthwith utterly put forth and abolished out of the books or muniments of that religion, order or place, by the president and his brethren.

Also, that no monk, or brother of this monastery, by any means go forth of the precinct of the same.

Also, that women, of what state or degree soever they be, be utterly excluded from entring into the limits or circuit of this monastery, or place, unless they first obtain licence of the king's highness, or his visitor.

Also, that there be no entring into this monastery but one, and that by the great fore-gate of the same, which diligently shall be watched and kept by some porter specially appointed for that purpose, and shall be shut and opened by the same both day and night, at convenient and accustomed hours; which porter shall repel all manner women from entrance into the said monastery.

Also, that all and singular brethren, and monks of this monastery, take their refectiions altogether in a place called the *misericordie*, such days as they eat flesh, and all other days in their refectory; and that at every mess there sit four of them, not of duty demanding to them any certain,

prince,

usual, or accustomed duty or portion of meat as they were wont to do; but that they be content with such ^dvictual as is set before them, and there take their refectiōs soberly, without excess, with giving due thanks to God; and that at every such refectiō, some chapter of the New-Testament, or Old, by some of the said brethren, be read and recited to the other, keeping silence, and giving audience to the same.

Also, that the abbot and president do daily prepare one table for himself and his guests thither resorting, and that not over-sumptuous, ^eor full of delicate and strange dishes, but honestly furnished with common meats; at which table, the said abbot, or some senior in his stead, shall sit to receive, and ^fgentilly entertain the strangers, the guests.

Also, that none of the brethren send any part of his meat, or the leavings thereof to any person, but that there be assigned an almoner, which shall gather the leavings, both of the covent and strangers tables, after that the servants of the house have had their convenient refectiōs, and distribute the same to poor people; amongst whom special consideration be had of such, before other, as be kinsfolk to any of the said brethren, if they be of like power and debility as other be; and also of those which endeavour themselves, with all their will and labour, to get their living with their hands, and yet cannot fully help themselves for their chargeable houshold, and multitude of children: yet let them not be so cherished, that they shall leave labour and fall to idleness; with consideration also specially to be had of them, which by weakness of their limbs and body be so impotent that they cannot labour; and by no means let such alms be given to valiant mighty and idle beggars and vagabonds, as commonly use to resort about such places; which rather as drove-beasts and mychers, should be driven away and compelled to labour, than in their idleness and lewdness, against the form of the king's grace's statute in this behalf made, cherished and maintained, to the great hindrance and damage of the common-weal.

^d victuals.^e and^f gently

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Also, that all other almses or distributions due, or accustomed to be made, by reason of the foundation, statutes, or customs of this place, be made and given, as largely and as liberally as ever they were at any time heretofore.

Also, that the abbot, prior, or president, shall find wood and fewel sufficient to make fire in the refectory, from All-hallow-even to Good-Friday.

Also, that all the brethren of this house, except the abbot, and such as be sick, or evil at ease, and those that have fulfilled their jubilee, lie together in the dormitory, every one by himself, in several beds.

Also, that no brother, or monk, of this house, have any child or boy laying, or privily accompanying with him, or otherwise haunting unto him, other than to help him to mass.

Also, that the brethren of this house, when they be sick, or evil at ease, be seen unto, and be kept in the infirmary duly, as well for their sustenance of meat and drink, as for their good keeping.

Also, that the abbot, or president, keep and find in some university, one or two of his brethren, according to the ability and possessions of this house; which brethren, after they be learned in good and holy letters, when they return home, may instruct and teach their brethren, and diligently preach the word of God.

Also, that every day, by the space of one hour, a lesson of holy scripture be kept in this covent, to which all, under pain by this said president to be moderated, shall resort; which president shall have authority to dispense with them, that they may with a low and treatable voice, say their long hours, which were wont to be sung.

Also, that the brethren of this house, after divine service done, read or hear somewhat of holy scripture, or occupy themselves in some such like honest and laudable exercise.

Also, that all and every brethren of this house shall observe the rule, statutes, and laudable customs of this religion, as far as they do agree with holy scripture and the

g brothers,

^h may om.

word of God. And that the abbot, prior, or president of this monastery, every day shall expound to his brethren, as plainly as may be, in English, a certain part of the rule that they have professed, and apply the same always to the doctrine of Christ, and not contrariwise; and he shall teach them, that ⁱtheir said rule, and other their principles of religion (so far as they be laudable) be taken out of holy scripture; and he shall show them the places from whence they were derived; and that their ceremonies, and other observances of religion, be none other things than as the first letters or principles, and certain introductions to true Christianity, or to observe an order in the church. And that true religion is not contained in apparel, manner of going, shaven heads, and such other marks; nor in silence, fasting, up-rising in the night, singing and such other kind of ceremonies, but in cleanness of mind, pureness of living, Christ's faith not feigned, and brotherly charity, and true honouring of God in spirit and verity. And that those above-said things were instituted and begun, that they being first exercised in ^kthose, in process of time might ascend to those as by certain steps, that is to say, to the chief point and end of religion: and therefore let them be diligently exhorted, that they do not continually stick and ^lconsist in such ceremonies and observances, as though they had perfectly fulfilled the chief and outmost of the whole true religion; but that when they have ^mover past such things, they endeavour themselves to higher things, and convert their minds from such external matters, to more inward and deeper considerations, as the law of God and Christian religion doth teach and show. And that they assure not themselves of any reward or commodity any wise, by reason of such ceremonies and observances, except they refer all such to Christ, and for his sake observe them; and for that they might thereby the more easily keep such things as he hath commanded, as well to them as to all Christian people.

Also, that the abbot and president of this place shall

ⁱ the

^k these,

^l surcease

^m once

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make ^a a true and full reckoning and accompt of his administration every year to his brethren, aswell of his receipts as expences ; and that the said accompt be written in a great book remaining with the covent.

Also, that the abbot and president of this house shall make no waste of the woods pertaining to this house, nor shall set out unadvisedly any farms ^o or reversions, without the consent of the more part of the convent.

Also, that there be assigned a book and a register that may copy out into that book all such writings, word by word, as shall pass under the convent-seal of this house.

Also, that no man be suffered to profess, or to wear the habit of religion in this house e're he be 24 years of age compleat ; and that they entice ^P or allure no man with suasions and blandiments to take the religion upon him.

Item, That they shall not shew no reliques, or feigned miracles, for encrease of lucre, but that they exhort pilgrims and strangers to give that to the poor, that they thought to offer to their images or reliques.

Also, that they shall suffer no fairs, or markets, to be kept or used within the limits of this house.

Also, that every brother of this house that is a priest, shall every day in his mass, pray for the most happy and ^q most prosperous estate of our sovereign lord the king, and his most noble and lawful wife queen Ann.

Also, that if either the master, or any brother of this house, do infringe any of the said injunctions, any of them shall denounce the same, or procure to be denounced, as soon as may be, to the king's majesty, or to his visitor general, or his deputy. And the abbot, or master, shall minister spending money, and other necessaries, for the way to him that shall so denounce.

Other spiritual injunctions* may be added by the visitor, as the place and nature of the comperts shall require, after his discretion.

^a a full and true

^o of

^P nor

^q most om.

[* The original word is *jurisdictions*, but was evidently meant for injunctions.]

Reserving power to give more injunctions, and to examine and discuss the comperts, to punish and reform them that be convict of any notable crime, to search and try the foundations, charters, donations, appropriations and muni-ments of the said places; and to dispose all such papistical escripts as shall be there found, to the right honourable Mr. Thomas Cromwell general-visitor to the king's said highness, as shall seem most expedient to his high wisdom and discretion.

III.

Some particulars relating to the dissolution of monasteries.

SECTION I.

The preamble of the surrender of the monastery of Langden.

OMNIBUS Christi fidelibus, &c. Willielmus Dyer, abbas monasterii Beatæ Mariæ Virginis et S. Thomæ Martyris de Langden, in com. Kent, et ejusdem loci conventus, ordinis Præmonstrat. capitulum dictæ domus plene facientes, ejusdemq; domus (quæ in suis fructibus, redditibus provenien. even. et emolumen, non mediocriter deteriorata est, et quasi in totum diminuta, ingentiq; ære alieno obruta, oppressa, et gravata extitit) statum usq; adeo matura deliberatione, et diligenti tractatu, considerantes, ponderantes, et pensantes, quod nisi celeri remedio, regia provisione huic monasterio sive prioratui (quippe quod de ejus fundatione et personatu existit) brevi succurratur et provideatur, funditus in spiri-tualibus et temporalibus annihiletur, per præsentis damus et concedimus, &c.

The rest follows in the ordinary form of law: but the ordinary preamble in most surrenders is,

Omnibus Christi fidelibus, &c. Nos—Salutem. Sciatis quod nos, deliberate, certa scientia, et mero motu, nostris, ex quibusdam causis, justis, et rationabilibus, nos, animas et conscientias nostras specialiter moventibus, ultro et sponte dedisse et concessisse domino regi, &c.

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But it seems some few houses though they were pre-
vailed with to surrender, yet would not do it with such a
preamble, for there are about twenty surrenders without
any preamble at all, made to John London clerk, *ad usum
domini regis*.

SECTION II.

*A list of religious houses, which by the king's letters patents
were of new founded and preserved from the dissolution
of lesser monasteries.*

Anno regni 28.	St. Mary of Betlesden, Buckinghamshire, Cistercians.	} 17. Aug.
	St. Mary of Huntington, Augustians.	
	Chertsey, Cambridg-shire, Benedict. nuns.	
	St. Mary in Winton, Southamp-shire, Benedict. nuns.	
	Grace-dieu, Leicestershire, August. nuns.	
	St. Michael Hull, Yorkshire, Carthusians.	27.
	St. Clare of Denby, Cambridgshire, nuns.	28.
	Kymme, Lincolnshire, Augustin.	2. Sept.
	St. Ann Marick, York-shire, Benedict. nuns.	9.
	St. Mary of Bindon, Dorset-shire Cistercians.	16. Nov.
	St. Mary Harpa, Westmor. Præmonstrat.	16.
	St. Mary of Hynnings, Lincoln-shire, Cisterc. nuns.	27.
	St. Mary de-la-Pray, Northamp. shire, nuns.	13. Dec.
	St. Mary of Kelling, York-shire, nuns.	14.
	St. Mary of Cockersand, Lancash. Præmonstrat. nuns.	19.
	De-la-val, York-shire, Carthus.	2. Jan.
	St. Mary New-stead, Nottinghamsh. August. nuns.	2.
	Wormsley, Herefordsh. August.	27.
	St. Mary of Alnewick, Northum. Præmonst.	30.
	Bellalanda, Yorksh. Cisterc.	30.
	St. John. Bapt. Egglestone, Yorksh.	30.
	St. Mary de Nith, Glamorgansh. Cisterc.	30.
	St. Mary Ulnestock, Leicestersh.	30.
	St. Mary of Dale, Derbysh. August.	30.

St. Katharine of Polesloo, Devonsh. Benedict. nuns.	30. Jan.	BOOK III.
St. Mary Lacock, Wiltsh. August. nuns.	30.	
St. Mary Chester, nuns.	30.	
St. Mary of Studely, Oxfordsh. nuns.	30.	
St. Mary of Canon Leigh, Devonsh. nuns.	12. Feb.	
Cockhill, Worcestersh. August. nuns.	5. Mar.	
St. Bartholomew, New-Castle, nuns.	30.	
St. Mary of Wallingwells, Yorksh.	April.	

The grants for these houses are all in the 28th year of the king, to be held in perpetuam eleemosynam, and are enrolled in the 1st, 2d, 4th, and 5th parts of the Patent Rolls for that year.

SECTION III.

A list of the surrenders of abbies, which are yet extant in the augmentation office.

LANGDEN, Præmonst. signed by the abbot and 10. monks, com. Kent.	13. Nov.	Regni 27.
Folkeston, Benedict. the prior, Kent.	15.	
Dover, the prior, 8 monks, Kent.	16.	
Merten, August. the prior and 5 friers, Yorksh.	9. Feb.	
Hornby, Præmonst. the prior and two monks.	23.	
Tilty, Cisterc. the abbot and 5 monks, Essex.	23.	
Bilsington, the prior and two monks, Kent.	21.	

These are all enrolled Rot. Claus. part 1st.

Furnesse, the abbot and 30 monks, Lancashire.	9. April.	Regni 28.
Bermondsey, the abb. Surrey.	1. June.	
Bushlisham. bp. of St. Davids, commendator, Berk.	5. July.	

The originals of these two last are lost, but enrolled Rot.

Claus. part 2d. regn. 28.

Lanthouy, August. the prior and 21 monks, Glocestsh.	10. May.	Regni 29.
Abbingdon, Bened. the abbot and 25 monks, Berksh.	29.	
Charterhouse, the prior, London.	10. June.	
Chertsey,—the abbot and 14 monks.	6. July.	

BOOK III.	Wardon, Cisterc. the abbot and 14 monks, Bedfordsh.	4. Dec.
	St. Austins Canterb. the abby seal.	5.
	Westacre, August. the prior and 8 monks, Norfolk.	14. Jan.
	Kingswood, Cisterc. Glocestsh. the abbot and 18 monks.	1. Feb.
	Coxhall, Cisterc. the abbot, Essex.	5. Feb.
	St. Andrew, Bened. Northampt. the prior and 12 fr.	2. Mar.
	Holmcultrin—the abbot and 25 monks, Cumberland.	6.
	Butley, August. the commend. and 8 monks, Suffolk.	7.
	Stradford-Langthorn, Cist. the abbot and 14 mon. Essex.	8.
	Southwick, August. Hampsh.	7. April
	Kennelworth. Bened. the prior and 1 mon. Warwicksh.	14.
	Merton, August. the abbot and 14 monks, Surrey.	16.
	Pont-Robert, Cisterc. the abbot and 8 monks, Sussex.	16.
	Bello loco, Cisterc. the abbot and 19 monks, Hamp.	17.
	<i>Besides these, the following surrenders are enrolled.</i>	
	Lewes, Cluniac. Sussex, the prior.	16. Nov.
	Castel-Acre, Cluniac. Norfolk, the prior.	22.
	Tichfield, Præmonst. the commend. Southamptsh.	18. Dec.
	Muchelling, Bened. Somersetsh. the abbot.	3. Jan.
	Boxley, Cisterc. Kent, the abbot.	26.
	Walden. Bened. Essex the bp. suffr. of Colchester. commend.	22. Mar.

Almost all these abbies were above the value of two hundred pound, so that they were not within the statute for suppressing the lesser abbies, but the abbots were prevailed on by other motives to surrender their houses to the king.

Regni 30.	Batle, Bened. Sussex, the abbot and 16 monks. 27. May. Thurgarton, August. Yorksh. the prior and 8 frat. 14. June.
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Bushliham, Bened. Berksh. the abbót and 15 monks.	19. June.
Axiholm, Carthus. Lincolnsh. the prior and 8 monks.	23.
Rupa, Cisterc. Yorksh. the abbot and 17 monks.	23.
Walbeck, Præmonst. Nöttingsh. the abbot and 18 monks.	20.
Huntington canons, Aug. the prior and 8 canons.	11. July.
Lincoln, Gilbertines the prior, and 15 monks.	14.
Feversham, Cluniac. Kent, the abbot and 8 monks.	8.
Bordesly, Cisterc. Worcestsh. the abbot and 19 monks.	17.
Cumbermore, August. Chesh. the abbot.	27.
St. Austins, Canterb. Bened. the abbot and 30 monks.	30.
St. James, Northamptonsh. Bened. the abbot elect and 5 monks.	25. Aug.
Fordham Gilbertines, Cambridgsh. the prior and 3 frat.	1. Sept.
Chateras, Black-nuns, Cambsh. the abbess and 10 nuns.	3.
Val-royal, Chesh. the abbot and 14 monks.	7.
Croxton, Præmonst. Leicestsh. the abbot and 22 monks.	8.
Haughmond, canons. Shropsh. the abbot and 10 monks.	9.
Tudbury, Bened. Staffordsh. the prior and 8 monks.	14.
De-la-pray, no subscriptions, only the common seal.	16.
Rostiter, August. Staffordsh. the abbot and 8 monks.	16.
Crockesden, Cisterc. Staffordsh. the abbot and 12 monks.	17.
Hilton, Cisterc. Staffordsh. the abbot and 8 monks.	18.
Semperingham, * Gilbertines, the prior and 8 monks.	18.

* In the houses of this order there were cloisters for both sexes: St. Gilbert L. of Semperingham founded it; the bp. of Landaff was at this time commendator of the whole order.

BOOK III.	Sulby, Præmonst. Northampsh. the abbot and 11 monks.	20. Sept.
	Haberholm, Gilb. Lincolnsh. the prior and 6 can.	24.
	Betlesden, Cisterc. Bedfordsh. abbot and 11 monks.	25.
	Cately, Gilb. Lincolnsh. the prior.	25.
	Bolington, Gilb. Lincolnsh. the prior and 9 monks.	26.
	Thelsford, the Holy Trinity, Warwicksh. prior and 3 monks.	26.
	Sixhill, Gilb. Lincolnsh. the commend. and 8 monks.	27.
	Thetford, August. Norfolk, the prior..	27.
	Alvinghame, Gilb. Lincolnsh. the prior and 27 monks.	29.
	Ormesby, Gilb. the prior and 6 frat.	30.
	Linn Carmelites, { The prior and 10 fra.	30.
	Linn Dominicans, { The prior and 11 fr. Norfolk.	
	Linn August. { The prior and 14 fra.	
	Linn, Francisc. the warden and 9 frat.	1. Oct.
	Alesbury, Francisc. Buckinghamsh. the warden and 6 frat.	1.
	Coventry, Carm. Warwicksh. the prior and 13 frat.	1.
	Newstead, Gilb. the prior and 5 monks.	2.
	Mattersey, Gilb. the prior and 4 monks.	3.
	Coventry, Franc. warden and 10 frat.	5.
	Marmond, canons. Cambridgsh. the prior and 1 monk.	5.
	Stamford, August. Lincolnsh. the prior and 5 frat.	6.
	Stamford, Dominic. the prior and 9 frat.	7.
	Grinsby, Francisc. Lincolnsh. the prior and 5 frat.	9.
	Miraval, Cisterc. Warwicksh. the abbot and 9 monks.	13.
	Shouldham, Gilb. Norfolk, the prior, 9 monks, 7 nuns.	15.
	Braywood, Black-nuns, Staffordsh. the prioress.	16.
	Lilleshull, August. Shropsh. the abbot and 10 monks.	16.
	Stafford, August. the prior and 5 monks.	16.

Northampton, Dominic. the prior and 7 frat.	16. Oct.	BOOK III.
Northallerton, Carmel. Yorksh. the prior and 9 frat.	17.	
Warwick, Dominic. the prior and 6 frat.	20.	
Northampton, Carmel. the prior and 8 frat.	20.	
Weatheral, Dominic. Cumberland, the prior.	20.	
Chicksand, Gilb. Bedfordsh. the prior, 6 monks, 18 nuns.	22.	
Darley, August. Derbysh. the abbot, and 18 monks.	22.	
Dale, Premonst. Derbysh. the abbot, and 16 monks.	24.	
Repton, August. Derbysh. the subprior, and 8 monks.	25.	
Grace-dieu, August. nuns, Leicestersh. the prior- ess.	27.	
Northampton, Francisc. the warden and 10 frat.	28.	
Northampton, August. the prior and 9 frat.	28.	
Mallen nuns, Kent, the abbess and 10 nuns.	29.	
Bardeny, Bened. Lincolnsh. the abbot and 18 monks.	1. Nov.	
Barnwell, August. Can. Cambridgsh. the prior and 6 monks.	8.	
Leicester, Francisc. the warden and 7 frat.	10.	
Dominic. the prior.	10.	
August. the prior.	10.	
London, Dominic. the bp. of Rochest. commend. and 15 frat.	10.	
August. the prior and 12 frat.	12.	
Francisc. the warden and 25 frat.	12.	
Cross-friers, 6 frat.	13.	
Doncaster, Carm. Yorksh. the prior and 6 friers.	13.	
Werksof, August. Nottinghamsh. the prior and 15 friers.	14.	
Pipewell—Lincolnsh. the abbot and 13 monks.	15.	
Wigemore—Herefordsh. the commend. and 10 friars.	18.	
York, August. the prior and 7 friars.	18.	
Doncaster, Francisc. guardian, 6 friars, 3 novices.	20.	

BOOK III.	Monkbreton, Bened. Yorksh. the prior, and 13 monks.	21. Nov.
	S. Helens Lond. a nunnery, no hands, only the seal.	25.
	Pomphret, dominic. Yorksh. the prior, 7 friars, 1 novice.	26.
	York, Carmel. the prior, 9 friars, 3 novices.	27.
	Francisc. the guardian, 15 friars, 5 novices.	27.
	Dominic. the prior, 6 friars, 4 novices.	27.
	Gilbertines, the prior, 3 monks.	28.
	August. the prior, 9 friars, 4 novices.	28.
	Bellalanda, Cisterc. Yorksh. the abbot and 24 monks.	30.
	Dunnington, the order of the Trinity, Berksh. the minister.	30.
	Ryeval, Cisterc. Yorksh. the abbot and 23 monks.	3. Dec.
	St. Albans, Bened. Herefordsh. the abbot and 37 monks.	5.
	Ansham, Bened. Oxfordsh. the prior and 8 monks.	4.
	Kirkham, August. Yorksh. the prior and 17 friars.	8.
	Notely, ——— Yorksh. the abbot and 17 monks.	9.
	Ellerton, Gilber. Yorksh. the prior and 4 friars.	11.
	York, the H. Trin. the minister and 10 priests.	
	Yarom, Dominic. the prior and 5 friars and 6 novices.	
	Darby, Dominic. the prior and 5 friars.	3. Jan.
	Semperingham, Gilber. the commend. and 3 monks.	6.
	Newcastle, Francis. the warden, with 8 friars and 2 nov.	9.
	Newcastle, August.	9.
	Newcastle, Dominic. the prior and 12 friars.	10.
	Newcastle, Carmel, the prior, 7 friars, and 2 novices.	10.
	Walknell, Newcastle, H. Trin. the prior.	10.
	Tinmouth, Bened. Northumberl. prior, 15 prebend. 3 nov.	12.
	Warwick, Bened. the prior and 12 monks.	15.
	Coventry, Carthus. the prior and 7 monks.	16.
	York, August. the prior and 17 fellows.	17.

Brednestock, Wiltsh. the prior and 13 monks.	18. Jan.	BOOK III.
Richmond, Yorksh. Francis. the prior and 14 friers.	19.	
Lacock, Wiltsh. nunnery, the abbess.	21.	
Combe, Warwicksh. Cisterc. the <i>quondam</i> abbot, 13 monks.	21.	
Kenisham, Somersetsh. August. the abbot and 10 monks.	23.	
Bolton, Yorksh. August. the prior and 14 friers.	29.	
Cockersand, Lancash. Premons. the abbot and 22 monks.	29.	
Pollsworth, Warwicksh. nunnery, no hands, only the seal.	31.	
Nottingham, Carmel. the prior and 6 friers.	5. Feb.	
Francis. the prior and 7 friers.	5.	
Athelny, Sommersetsh. Bened. the abbot and 8 monks.	8.	
Taunton, Sommersetsh. August. the prior and 12 monks.	10.	
Buckland, Sommersetsh. nunnery, the prioress.	10.	
Dunkeswell, Sommersetsh. Cisterc.	12.	
Polleslow, Devonsh. nunnery, the prioress.	14.	
Witham, Sommersetsh. Carthus. the prior and 12 monks.	15.	
Bushsham, Devonsh.	19.	
Cannonleigh, Devonsh. nunnery, no hands, but the seal.	19.	
Hartland, Devonsh. August. the abbot and 4 monks.	21.	
Torry, Premonst. Devonsh. the abbot and 15 monks.	23.	
Launceston, Cornwall, August. the prior and 8 monks.	24.	
Buckfast, Devonsh. Cisterc. the abbot with 10 monks.	25.	
Buckland, Devon. Cisterc. the abbot.	27.	
Bodmyn, Cornwall, August. the prior and 8 monks.	27.	
Edingdon, Wiltsh. August. the rector and 12 monks.	28.	

BOOK III.	Plimpton, canons, August. Devonsh. the prior and 18 monks.	1. Mar.
	St. Germans, Can. Aug. Cornwall, the prior, 7 monks.	2.
	Ford. Cisterc. Devon. the abbot and 13 monks.	8.
	Midleton, Bened. Devon. abbot and bp. suff. of Shafts. 12 monks.	11.
	Abbots-bury, Bened. Dorsetsh. the prior and 10 monks.	12.
	Tarent nunnery, Dorsetsh. the abbess and 18 nuns.	13.
	Bindon, Cisterc. Dorsetsh. the abbot and 7 monks.	14.
	Cerne, Bened. Dorsetsh. the abbot and 16 monks.	15.
	Sherburn, Bened. Dorsetsh. the abbot and 16 monks.	18.
	Montecute, Cluniac. Somersetsh. the abbot and 13 monks.	20. Mar.
	Tavenstock, Bened. Somersetsh. the abbot and 20 monks.	20.
	Shaftsbury nunnery, Dorsetsh. the abbess.	23.
	Wilton nunnery, Wiltsh. the abbess.	25.
	Hinton Carthus. Somersetsh. the prior and 19 monks.	31.
	Bruton canons, August. Somersetsh. the abbot and 14 monks.	1. April.
	Hide, Bened. Hampsh. bp. Bangor commend. and 21 monks, in April, but no date.	

Without date there are four.

Franciscans Cambr. the guardian and 23 frat.
Dominicans Cambr. the prior and 15 frat.
Thetford Dominic. the prior.
Sancta Maria de Pratis, the abbot and 19 monks

Hospitals resigned this year.

St. Thomas Southwark, the master and 1 brother.	25. July.
St. John Wells, the master and 3 brothers.	3. Feb.
Bridgwater, the master and 7 brothers.	3.
St. John Exon, the master and 2 brothers.	20.

All the former resignations have the covent seals put to them, except those of some few houses of begging friars, which perhaps had no seals; they are also enrolled in the first, second, third, and fifth Claus. Rolls of that year. There are likewise some few more enrolled, of which the originals are lost, which follow.

BOOK
III.

Hales-Owen, Premonst. Salop, the abbot.	9. June.
Clattercott. Gilbert. the prior.	22. Aug.
Bedford, Francisc. the warden.	8. Oct.
Stamford, Francisc. the warden.	8.
Derleyghs, Cisterc. Staffordsh. the abbot.	20.
Pipeldeth, Cisterc. Northamptonsh. the abbot.	5. Nov.
De-la-pray nunnery, Northamptonsh. the abbess.	16. Dec.
Northallerton, Carmel. Yorksh. the prior.	20. Jan.
Poulton, Gilbert. the prior.	16.
Newburg, August. Yorksh.	22.
Bath cathedral, Bened.	27.
Brusyard nunnery, Suffolk, the abbess.	17. Feb.
Newham, Cisterc. Devonsh. the abbot.	8. Mar.

Here follow the resignations made in the 31 year of the king's reign, of which the originals are yet extant.

KIMME Can. August. Lincolnsh. the prior and 9 monks.	6. July.
Bevoll Carthus. Nottinghamsh. the prior and 7 monks.	8.
Irthforth nunnery, Lincolnsh. the prioress and 17 nuns.	9.
Nuncotton nunnery, Yorksh. without subscriptions.	11.
Hynings nunnery, Lincolnsh. no subscriptions.	11.
Fosse nunnery, Lincolnsh. the prioress.	11.
Newstead Premonst. Nottinghamsh. the prior and 11 monks.	21.
St. Osith. Can. August. Essex, the abbot and 16 monks.	28.
Elistu nunnery, Bedfordsh. the abbess.	26. Aug.
Hamond, a commission to the bp. of Chester to take the surrender of it.	31.

BOOK III.	Swine nunnery, Yorksh. no subscriptions.	3. Sept.
	Haughmond Can. August. Sallop, the abbot and 10 monks.	9.
	Nunkeling nunnery, Yorksh. no subscription but the seal.	10.
	Nunniton nunnery, the prioress, 27 crosses for subscript.	12.
	Ulnescroft, Leicestersh. the prior and 11 friers.	15.
	Marrick nunnery, Yorksh. the prioress.	15.
	Burnham nunnery, Bucks, the abbess and 9 nuns.	19.
	St. Bartholomew Smithfield, the prior.	25. Oct.
	Edmundsbury Bened. Suffolk, the abbot and 44 monks.	4. Nov.
	A commission for the surrender of St. Alborough, Chesh.	7.
	Berkin nunnery, Essex, the abbess.	14.
	Tame, Oxfordsh. bp. * Roanen and 16 monks.	16.
	Osney, <i>ibid. id.</i> and 12 monks.	17. Nov.
	Godstow nunnery, Oxfordsh. subscribed by a no- tary.	17.
	Studley nunnery, Oxfordsh. signed as the former.	19.
	Thelsford, Norfolk, the prior and 13 monks.	16. Feb.
	Westminster Bened. the abbot and 27 monks.	16. Jan.
	A commission to the arch-bp. of Canterb. for taking the surrender of Christ's Church Can- terbury.	} 20. Mar.
	And another for the surrender of Rochester, both dated	
	Waltham Benedict. Essex, the abbot and 17 monks.	23.
	St. Mary Watte, Gilber. bishop of Landaffe com- mend. 8 friers and 14 nuns.	

*There is also in the augmentation-office, a book concerning
the resignations and suppressions of the following mo-
nasteries.*

St. Swithins Winchester. 15. Nov.

* What this see was I cannot conjecture.

St. Mary Winchester.	17. Nov.	BOOK
Wherewel, Hampshire.	21.	III.
Christ's-Church, Twinham, the commendator thereof is called <i>Episcopus Neopolitanus</i> .	23.	
Winchelcomb.	3. Dec.	
Ambrose Bury.	4.	
St. Austins, near Bristol.	9.	
Billeswick, near Bristol.	9.	
Malmesbury.	15.	
Cirencester.	19.	
Hales.	24.	
St. Peter's, Gloucester.	2. Jan.	
Teuksbury.	9.	

There are also several other deeds enrolled, which follow.

St. Mary-Overhay, in Southwark.	14. Oct.
St. Michael, near Kingston upon Hull, Carthus.	9. Nov.
Burton upon Trent, Staffordsh.	14.
Hampol nunnery, Yorksh.	19.
St. Oswald, Yorksh.	20.
Kirkstal, Yorksh.	22.
Pomfret, Yorksh.	23.
Kirkelles, Yorksh.	24.
Ardington, Yorksh.	26.
Fountains, Yorksh.	26.
St. Mary York.	29.
St. Leonard York.	1. Dec.
Nunnapleton nunnery, Yorksh.	5.
St. Gelmans Selbe, Yorksh.	6.
Melsey, Yorksh.	11.
Malton, Yorksh.	11.
Whitby, Yorksh.	14.
Albalanda, Northumb.	18.
Montgrasse Carthus. Yorksh.	18.
Alnewick Premonstrat. Northumb.	22.
Gisburn August. Yorksh.	22.
Newshame, Dunelm.	29.
St. Cuthberts cathedral of Duresme.	31.

BOOK III.	St. Bartholomew nunnery, in Newcastle.	3. Jan.
	Egleliston, Richmondsh.	5.
	St. Mary Carlile, Cumber.	9.
	Hoppa Premonst. Westmoreland.	14.
	St. Werburg. Chester.	20.
	St. Mary Chester, a nunnery.	21.
	St. Peters Shrewsbury.	24.
	St. Milburgh Winlock, Salop.	26.

SECTION IV.

It seems there was generally a confession made with the surrender: of these some few are yet extant, though undoubtedly great care was taken to destroy as many as could be in queen Mary's time. That long and full one made by the prior of St. Andrews in Northampton, the preamble whereof is printed by Fuller, and is at large printed by Weaver, is yet preserved in the augmentation-office. There are some few more also extant, six of these I have seen, one of them follows.

FORASMUCH as we Richard Green, abbot of our monastery of our blessed lady St. Mary of Betlesden, and the convent of the said monastery, do profoundly consider, that the whole manner and trade of living, which we and our pretended religion have practised, and used many days, does most principally consist in certain dumb ceremonies, and other certain constitutions of the bishops of Rome, and other forinsecal potentates, as the abbot of Cistins, and therein only nusled, and not taught in the true knowledg of God's laws, procuring always exemptions of the bishops of Rome from our ordinaries and diocesans: submitting our selves principally to forinsecal potentates and powers, which never came here to reform such disorders of living and abuses, as now have been found to have reigned amongst us. And therefore now assuredly knowing, that the most perfect way of living is most principally and sufficiently declared unto us by our master Christ, his evangelists and apostles, and that it is most expedient for us to be governed and ordered by our supreme head, under God,

the king's most noble grace, with our mutual assent and consent, submit our selves, and every one of us, to the most benign mercy of the king's majesty ; and by these presents do surrender, &c.

The surrender follows in common form, signed by the abbot, subprior, and 9 monks, 25 Septemb. regni 30.

There are others to the same purpose, signed by the guardian and seven Franciscans at Alisbury, the first of October. By the Franciscans at Bedford, the third of October. The Franciscans in Coventry the fifth of October. And the Franciscans in Stamford the eighth of October. And the Carmelites in Stamford upon the same day, which I shall also insert, the former four agreeing to it.

FORASMUCH as we the prior and friers of this house of Carmelites in Stamford, commonly called the White-friers in Stamford, in the county of Lincoln, do profoundly consider that the perfection of Christian living doth not consist in some ceremonies, wearing of a white coat, disguising our selves after strange fashions, dockying and becking, wearing scapulars and hoods, and other-like papistical ceremonies, wherein we have been most principally practised and nusled in times past ; but the very true way to please God, and to live a true Christian man, without all hypocrisy and feigned dissimulation, is sincerely declared to us by our master Christ, his evangelists, and apostles ; being minded hereafter to follow the same, conforming our self to the will and pleasure of our supreme head under God on earth, the king's majesty ; and not to follow henceforth the superstitious traditions of any forinsecal potentate or power, with mutual assent and consent, do submit our selves to the mercy of our said sovereign lord, and with the like mutual assent and consent do surrender, &c.

Signed by the prior, and six friers.

BOOK
III.

SECTION V.

Of the manner of suppressing the monasteries after they were surrendered.

THE reader will best understand this by the following account of the suppression of the monastery of Teuksbury, copied from a book that is in the augmentation-office, which begins thus:

THE certificate of Robert Southwell esquire, William Petre, Edward Kairne, and John London, doctors of law: John Apprice, John Kingsman, Richard Paulet, and William Bernars, esquires, commissioners assigned by the king's majesty, to take the surrenders of divers monasteries, by force of his grace's commission to them, 6, 5, 4, or 3 of them, in that behalf directed; bearing date at his highness's palace of Westminster, the 7th day of November, in the 31 year of the reign of our most dread sovereign lord Henry the Eighth, by the grace of God, king of England, and of France, defender of the faith, lord of Ireland, and in earth immediately under Christ supreme head of the church of England, of all and singular their proceedings, as well in and of these monasteries by his majesty appointed to be altered, as of others to be dissolved, according to the tenour, purport and effect of his grace's said commission; with instructions to them likewise delivered, as hereafter ensueth.

Com. Gloucester.

Teuksburylatemonastery,	{	Surrendered to the use of the king's majesty, and of his heirs and successors for ever made, bearing date under the covent-seal of the same late monastery, the 9th day of January, in the 31 year of the reign of our most dread victorious sovereign lord king Henry the Eighth: and the said day and year clearly dissolved and suppressed.
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The clear yearly value of all the possessions belonging to the said late monastery,	{	As well spiritual as temporal, over and besides 136 <i>l.</i> 8 <i>s.</i> 1 <i>d.</i> in fees, annuities, and custodies granted to divers persons by letters patents under the covent-seal of the said late monastery for term of their lives.	<table border="0"> <tr> <td style="text-align: right; padding-right: 5px;">1595</td> <td style="text-align: center; padding: 0 5px;">l.</td> <td style="text-align: center; padding: 0 5px;">s.</td> <td style="text-align: center; padding: 0 5px;">d.</td> </tr> <tr> <td style="text-align: right;">1595</td> <td style="text-align: center;">15</td> <td style="text-align: center;">6</td> <td></td> </tr> </table>	1595	l.	s.	d.	1595	15	6	
1595	l.	s.	d.								
1595	15	6									

		<i>l.</i>	<i>s.</i>	<i>d.</i>	
Pensions assigned to the late religious dispatched; that is to say, to	John Wich, late abbot there	266	13	4	551 6 8
	John Beley, late prior there	16	0	0	
	J. Bromesgrove late pr. of Delehurst	13	6	8	
	Rob. Circester prior of St. James	13	6	8	
	Will. Didcote prior of Cranborne	10	0	0	
	Robert Cheltenham B. D.	10	0	0	
	Two monks 8 <i>l.</i> a piece	16	0	0	
	One monk	7	0	0	
	27 monks 6 <i>l.</i> 13 <i>s.</i> 4 <i>d.</i> each	180	0	0	
	And so remains clear—	1044	8	10	

Records and evidences { Belonging to the late monastery { Remain in the treasury there under the custody of John Whittington, kt. the keys thereof being delivered to Richard Paulet receiver.

Houses and buildings assigned to remain undefaced. { The lodging called the New-ark, leading from the gate to the late abbot's lodging, with buttery, pantery, cellar, kitchen, larder and pastry thereto adjoining. The late abbot's lodging, the hostery, the great gate entring into the court, with the lodging over the same; the abbot's stable, bakehouse, brewhouse and slaughterhouse, the almry, barn, derryhouse, the great barn next Aven, the maltinghouse, with the garners in the same, the oxhouse in the Barton, the Barton-gate, and the lodging over the same. { Committed to the custody of John Whittington, knight.

BOOK
III.

Deemed to be superfluous.	{ The church, with chapels, cloisters, chapterhouse, misericord, the two dormitories, infirmary, with chappels and lodgings within the same; the work-hay, with another house adjoining to the same, the convent-kitchen, the library, the old hostery, the chamberers lodging, the new hall, the old parlor adjoining to the abbot's lodging; the cellarers lodging, the poultry-house, the gardner, the almory, and all other houses and lodgings not above reserved.	{ Committed as above-said.
Leads remaining upon	{ The quire, iles, and chapels annex the cloister, chapterhouse, frater, St. Michael's chappel, hall, fermory, and gate-house, esteemed to	{ 180 foder.
Bells remaining	{ In the steeple there are eight poize, by estimation.	{ 14600 weight.
Jewels reserved to the use of the king's majesty.	{ Miters garnished with gilt, rugged pearls, and counterfeit stones.	{ 2.
Plate of silver reserved to the same use.	{ Silver gilt 329 ounces. Silver parrel gilt 605 ounces. Silver white 497 ounces.	{ 1431.
Ornaments reserved to the said use.	{ One cope of silver tissue, with one clesible, and one tunicle of the same; one cope of gold tissue, with one cles. and two tunicles of the same.	

		BOOK III.		
Sum of all the ornaments, goods, and chattels belonging to the said late monastery.		Sold by the said commissioners, as in a particular book of sales thereof made ready to be shewed, as more at large may appear.	l.	s. d.
			194	8 0
Pay-ments	{ To the late religious and servants dispatcht	To 38 late religious persons of the said late monastery of the king's Mat. reward.	80	13 4
		To an 144 late servants of the said late monastery, for their wages and liveries.	75	10 0
Pay-ments	{ For debts owing by the said late monastery.	To divers persons for vic- tuals and necessaries of them had to the use of the said monastery, with 10l. paid to the late ab- bot there, for and in full payment of 124l. 5s. 4d. by him to be paid to cer- tain creditors of the said late monastery, by cove- nants made with the aforesaid commissioners.	18	12 0

And so remains clear— 19 12 8

Then follows a list of some small debts owing to and by the said monastery.

Then follows a list of the livings in their gift.

Com. Glocest.	Four parsonages and 10 vicarages.
Com. Wigorn.	Two parsonages and 2 vicarages.
Com. Warwic.	Two parsonages.
Com. Will. Bristol.	Five parsonages and 1 vicarage.
Com. Wilts.	00 2 vicar.
Com. Oxon.	One pars. and 2 vicar.
Com. Dors.	Four pars. and 2 vicar.
Com. Sommers.	Three pars.
Com. Devon.	00 1 vicar.
Com. Cornub.	00 2 vicar.
Com. Glamorg. } and Morgan.	00 5 vicar.

In all 21 parsonages, and 27 vicarages.

BOOK
III.

IV.*

Queen Ann Boleyn's last letter to king Henry.

SIR,

Cotton lib.
Otho. c. 10.
fol. 228.

YOUR grace's displeasure, and my imprisonment, are things so strange unto me, as what to write, or what to excuse, I am altogether ignorant. Whereas you send unto me (willing me to confess a truth, and so ^ato obtain your favour) by such an one whom you know to be ^bmy antient professed enemy. I no sooner received this message by him, than I rightly conceived your meaning; and if, as you say, confessing a truth indeed may procure my safety, I shall with all willingness and duty perform your command.

But let not your grace ever imagine that your poor wife will ever be brought to acknowledge a fault, where not so much as a thought ^c[thereof] ever proceeded. And to speak a truth, never ^da prince had wife more loyal in all duty, and in all true affection, than you have ever found in Ann Boleyn, with which name and place I could willingly have contented my self, if God, and your grace's pleasure had ^eso been pleased. Neither did I at any time so far forget my self in my exaltation, or received queenship, but that I always looked for such an alteration as now I find; for the ground of my preferment being on no surer foundation than your grace's fancy; the least ^falteration was fit and sufficient (I know) to draw that fancy to some other subject. You have chosen me, from a low estate, to be your queen and companion, far beyond my desert or desire. If then you found me worthy of such honour, good your grace let not any light fancy, or bad counsel of mine enemies, withdraw your princely favour from me; neither let that stain, that unworthy stain of disloyal heart towards your good grace, ever cast so foul a blot on your most dutiful wife, and the infant-princess your daughter: try me, good king,

[* A great part of this letter was burnt in the fire, before noticed.]

^a to om.^b mine^c thereof preceded.^d a om.^e been so^f alteration I knew, was fit and sufficient to draw

but let me have a lawful trial, and let not my sworn enemies sit as my accusers and judges; yea, let me receive an open trial, for my truth shall fear no open ^sshames; then shall you see, either mine innocency cleared, your suspicion and conscience satisfied, the ignominy and slander of the world stopped, or my guilt openly declared. So that whatsoever God, or you may determine of me, your grace may be freed from an open censure; and mine offence being so lawfully proved, your grace is at liberty, both before God and man, not only to execute worthy punishment on me as an ^hunfaythful wife, but to follow your affection, already settled, on that party, for whose sake I am now as I am, whose name I could some good while since have pointed unto, your grace being not ignorant of my suspicion therein.

But if you have already determined of me, and that not only my death, but an infamous slander must bring you the ⁱjoying of your desired happiness; then I desire of God, that he will pardon your great sin ^kherein, and likewise ^lmy enemies, the instruments thereof; and that he will not call you to a ^mstraight account for your unprincely and cruel usage of me, at his general judgment-seat, where both you and my self must shortly appear, and in whose ⁿjust judgment I doubt not (whatsoever the world may think of me) my ^oinnocency shall be openly known, and sufficiently cleared.

My last and only request shall be, that my self may only bear the burden of your grace's displeasure, and that it may not touch the innocent souls of those poor gentlemen, who (as I understand) are likewise in strait imprisonment for my sake. If ever I have found favour in your sight, if ever the name of Ann Boleyn hath been pleasing in your ears, let me obtain this request; and I will so leave to trouble your grace any further, with mine earnest ^qprayer to the Trinity to have your grace in his good keeping, and

^s shame; ^h unlawful ⁱ enjoying ^k therein, ^l mine
^m strict ⁿ just om. ^o mine innocence ^p ears, then let
^q prayers

BOOK to direct you in all your actions. From my doleful prison
III. in the Tower, ^rthe 6th of May.

Your most loyal and ever faithful wife,
 Ann Boleyn.

V.

The judgment of the convocation concerning general-councils. Published by the L. Herbert from the original.

As concerning general-councils, like-as we (taught by long experience) do perfectly know that there never was, nor is, any thing devised, invented, or instituted by our fore-fathers, more expedient or more necessary for the establishment of our faith, for the extirpation of heresies, and the abolishing of sects and schisms; and finally, for the reducing of Christ's people unto one perfect unity and concord in his religion, than by the having of general-councils; so that the same be lawfully had and congregated in *Spiritu Sancto*, and be also conform and agreeable, as well concerning the surety and indifferency of the places, as all other points requisite and necessary for the same, unto that wholesome and godly institution and usage, for the which they were at first devised and used in the primitive church: even so on the other side, taught by like experience, we esteem, repute, and judg, that there is, ne can be any thing in the world more pestilent and pernicious to the common-weal of Christendom, or whereby the truth of God's word hath in times past, or hereafter may be sooner defaced or subverted, or whereof hath and may ensue more contention, more discord and other devilish effects, than when such general councils have or shall be assembled, not Christianly, nor charitably, but for and upon private malice and ambition, or other worldly and carnal respects and considerations, according to the saying of Gregory Nazianzenus, in his Epistle to one Procopius, wherein he writeth this sentence following; *Sic sentio, si verum scribendum est, omnes conventus episcoporum fugiendos esse, quia nullius synodi finem*

^r this

vidi bonum, neque habentem magis solutionem malorum, quam incrementum : nam cupiditates contentionum, et gloria (sed ne putes me odiosum ista scribentem) vincunt rationem. That is to say; "I think this, if I should write truly, that all general councils be to be eschewed, for I never saw that they produced any good end or effect, nor that any provision or remedy, but rather increase of mischiefs proceeded of them. For the desire of maintenance of mens opinions, and ambition of glory (but reckon not that I write this of malice) hath always in them overcome reason." Wherefore we think that Christian princes, especially and above all things, ought and must, with all their wills, power, and diligence, foresee and provide; *Ne sanctissima hac in parte majorum instituta, ad improbissimos ambitionis aut malitiæ effectus explendos, diversissimo suo fine et sceleratissimo pervertantur : neve ad alium prætextum possint valere, et longe diversum effectum orbi producere quam sanctissima rei facies præ se ferat.* That is to say, "Lest the most noble wholesome institutions of our elders in this behalf be perverted to a most contrary and most wicked end and effect : that is to say, to fulfil and satisfy the wicked affections of mens ambition and malice; or, lest they might prevail for any other colour, or bring forth any other effect, than their most vertuous and laudable countenance doth outwardly to the world shew or pretend." And first of all, we think they ought principally to consider who hath the authority to call together a general council. Secondly, whether the causes alledged be so weighty and so urgent, that necessarily they require a general council, nor can otherwise be remedied. Thirdly, who ought to be judges in the general council. Fourthly, what order of proceeding is to be observed in the same; and how the opinions or judgments of the fathers are to be consulted or asked. Fifthly, what doctrines are to be allowed or defended, with divers other things which in general councils ought of reason and equity to be observed. And as unto the first point, we think that neither the bishop of Rome, nor any one prince, of what estate, degree, or

BOOK
III.

preheminance soever he be, may, by his own authority, call, indict, or summon any general council, without the express consent, assent, and agreement of the residue of Christian princes, and especially such as have within their own realms and seigniories, *imperium merum*, that is to say, of such as have the whole, intire, and supream government and authority over all their subjects, without knowledging or recognizing of any other supream power or authority. And this to be true, we be induced to think, by many and sundry, as well examples as great reasons and authority. The which, forasmuch as it should be over long and tedious to express here particularly, we have thought good to omit the same for this present. And in witness that this is our plain and determinate sentence, opinion and judgment, touching the premisses, we the prelates and clergy under-written, being congregate together in the convocation of the province of Canterbury, and representing the whole clergy of the same, have to these presents subscribed our names the 20th of July, in the year of our Lord 1536. 28 Hen. 8.

Signed by

Thomas Cromwel, Thomas Cantuariensis,
Johannes London, with 13 bishops; and
of abbots, priors, arch-deacons, deans,
proctors, clerks, and other ministers, 49.

There were then but 17 bishops in the province of Canterbury; and Rochester being vacant, of the other 16, 14 did sign this.

VI.

Instructions for the king's commissioners, for a new survey; and an inventory to be made of all the demesnes, lands, goods and chattels appertaining to any house of religion of monks, canons, and nuns within their commission, according to the articles hereafter following. The number of which houses in every county limited in their commission, being annexed to the said commission. An original.

Henry R.

Ex MSS.
Nob. D. G.
Pierpoint.

FIRST; After the division made, one auditor, one par-

ticular receiver, one clerk of the register of the last visitation, with three other discreet persons to be named by the king, in every county where any such houses be; after their repair to such house, shall declare to the governour, the religious persons of the same, the statute of dissolution, the commission, and the cause and purpose of their repair for that time.

Item; That after the declaration made, the said commissioners shall swear the governours of the houses, or such other the officers of the same house, or other, as ye shall think can best declare the state and plight of the same, to make declaration and answer to the articles there underwritten.

Item; Of what order, rule, or religion, the same house is, and whether it be a cell or not: and if it be a cell, then the commissioners to deliver to the governour of the house a privy seal; and also to injoin him, in the king's name, under a great pain, to appear without delay before the chancellor of the augmentations of the revenues of the king's crown and the council; and in the mean time not to meddle with the same cell, till the king's pleasure be further known.

Item; What number of persons of religion be in the same, and the conversation of their lives; and how many of them be priests, and how many of them will go to other houses of that religion, or how many will take capacities; and how many servants or hinds the same house keepeth commonly, and what other persons have their living in the same house.

Item; To survey the quantity or value of the lead and bells of the same house, as near as they can; with the ruin, decay, state and plight of the same.

Item; Incontinently to call for the covent-seal, with all writings and charters, evidences and muniments concerning any of the possessions to be delivered to them, and put the same in sure keeping; and to take a just inventory betwixt them and the governour, or other head-officer, by indenture, of the ornaments, plate, jewels, chattels, ready mony,

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stuff of household, coin, as well signed as not signed ; stock and store in the farmer's hands, and the value thereof, as near as they can, which were appertaining to the same houses the first day of March last past ; and what debts the house doth owe, and to what person ; and what debts be owing to them, and by whom.

Item ; After, to cause the covent, or common-seal, the plate, jewels, and ready mony, to be put in safe keeping, and the residue of the particulars specified in the inventory, to be left in the keeping of the governor, or some other head officer, without wasting or consumption of the same, unless it be for necessary expence of the house.

Item ; That they command the governour, or other receiver of the same house, to receive no rents of their farms, until they know further of the king's pleasure, except such rents as must needs be had for their necessary food or sustenance, or for paiment of their servants wages.

Item ; To survey discreetly the demesnes of the same house ; that is to say, such as have not been commonly used to be letten out, and to certify the clear yearly value thereof.

Item ; To examine the true yearly value of all the farms of the same house, deducting thereof rents reserved, pensions and portions paid out of the same, synodals, and proxies ; bailiffs, receivers, stewards, and auditors fees, and the names of them to whom they be paid and due, and to none other.

Item ; What leases have been made to any farmer, of the farms pertaining to the same house ; and what rent they reserved, and to whom, and for how many years ; and a copy of the indenture, if they can get it, or else the counter-pane.

Item ; To search and enquire what woods, parks, forrests, commons, or other profit, belonging to any of the possessions of the same houses, the number of the acres, the age and value, as near as they can.

Item ; What grants, bargains, sales, gifts, alienations, leases of any lands, tenements, woods, or offices, hath been made by any the said governors, of any of the said houses,

within one year next before the 4th day of February last past, and of what things, or to what value, and to whom, and for what estate. BOOK
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Item ; If there be any house of the religion aforesaid omitted and not certified in the exchequer, then the said commissioners to survey the same, and to make certificate accordingly.

Item ; That they straitly command every governour of every such house limited in their commission, to sow and till their grounds as they have done before, till the king's pleasure be further known.

Item ; If there be any house given by the king to any person, in any of the said several limits of the said commission, the names whereof shall be declared to the said commissioners, then the said commissioners shall immediately take the covent from the governour, and take an inventory indented of the lead, bells, debts, goods, chattels, plate, jewels, ornaments, stock and store, to the king's use ; and to make sale of the goods, chattels, and other implements, plate and jewels only excepted.

Item ; The said commissioners in every such house, to send such of the religious persons that will remain in the same religion, to some other great house of that religion, by their discretion, with a letter to a governour for the receipt of them ; and the residue of them that will go to the world, to send them to my lord of Canterbury, and the lord chancellor for their capacities, with the letter of the same commissioners.

Item ; The said commissioners to give the said persons that will have capacities, some reasonable rewards, according to the distance of the place, by their discretions to be appointed.

Item ; The said commissioners to command the governour to resort to the chancellor of the augmentation for his yearly stipend and pension.

Item ; If there be any house dissolved or given up to the king by their deed, then the commissioners shall order themselves in every point and purpose, as the houses

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given by the king to any other person, in form aforesaid.

Item ; Every of the said commissioners having in charge to survey more than one shire within the limits of their commission, immediately after they have perused one shire, parcel of their charge, in form aforesaid, shall send to the chancellour of the court for the augmentation of the revenues of the king's crown, a brief certificate of all these comperts, according to the instructions aforesaid, what they have done in the premisses; and in every county so surveyed, then to proceed further to another county; and so as they pass the said counties to make the like certificate, and so forth, till their limits be surveyed, and there to remain till they know further of the king's pleasure.

Item ; If the said commissioners have but one county in charge, then to certify the said chancellor in form aforesaid, and there to remain till they know further of the king's pleasure.

VII.

Injunctions given by the authority of the king's highness to the clergy of this realm.

Registr.
Craun.
fol. 97. b.

IN the name of God. Amen. In the year of our Lord God, ^aa thousand five hundred thirty six, and of the most noble reign of our sovereign lord Henry the Eighth, king of England and ^bof France the 28th year, and the day of I Thomas Cromwel knight, lord Cromwel, keeper of the privy-seal of our said sovereign lord the king, and vicegerent unto the same, for and concerning all his ^cjurisdiction ecclesiastical within ^dthis realm, visiting by the king's highness's supream authority ecclesiastical, the people and clergy of this deanry of by my trusty commissary lawfully deputed and constitute for this part, have, to the glory of Almighty God, to the king's highness's honour, the publick-weal of this his realm, and encrease of

^a one

^b of em.

^c jurisdictions

^d the

vertue in the same, appointed and assigned these injunctions ensuing to be kept and observed, of the dean, parsons, vicars, curats, and stipendaries resiant, or having cure of souls, or any other spiritual ^eadministration within this deanery, under the pains hereafter limited and appointed.

The first is; that the dean, parsons, vicars, and other, having cure of soul any where within this deanery, shall faithfully keep and observe, and as far as in them may lie, shall cause to be observed and kept of other, all and singular laws and statutes of this realm, made for the abolishing and extirpation of the bishop of Rome's pretended and usurped power and jurisdiction within this realm. And for the ^festablishment and confirmation of the king's authority and jurisdiction ^swithin the same, as of the supream head of the church of England; and shall, to the uttermost of their wit, ^hknowledge, and learning, purely, sincerely, and without any colour or dissimulation, declare, manifest, and open, for the space of one quarter of a year ⁱnowe next ensuing, once every Sunday, and after that at the least-wise twice every quarter, in their sermons and other collations, that the bishop of Rome's usurped power and jurisdiction, having no establishment nor ground by the law of God, was of most just causes taken away and abolished; and therefore they owe unto him no manner of obedience or subjection; and that the king's power is within his dominion the highest power and potentate, under God, to whom all men within the same ^kdominion, by God's commandment, owe most loyalty and obedience, afore and above all other powers and potentates in earth.

Item; Whereas certain articles were lately devised and put forth by the king's highness's authority, and condescended upon by the prelates and clergy of this his realm in convocation, whereof part are necessary to be holden and believed for our salvation, and the other part do concern and ^ltouche certain laudable ceremonies, rites, and usages of the church, meet and convenient to be kept and used

^e administrations ^f establishment ^s of ^h knowledg,
ⁱ nowe om. ^k dominions, ^l teach

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for ^ma decent and politick order in the same; the said dean, parsons, vicars, and other curats, shall so open and declare in their said sermons, and other collations, the said articles unto them that be under their cure, that they may plainly know and discern which of them be necessary to be believed and observed for their salvation, and which be not necessary, but only do concern the decent and politick order of the said church: according to such commandment and admonition as hath been given unto them heretofore, by authority of the king's highness in that behalf.

Moreover, that they shall declare unto all such as be under their cure, the articles likewise devised, put forth, and authorized of late, for and concerning the abrogation of certain superfluous holy-days, according to the effect and purport of the same articles: and perswade their parishioners to keep and observe the same ⁿinviolablye, as things holineselye provided, decreed, and established, by common consent, and publick authority, for the weal, commodity, and profit of all this realm.

Besides this, to the intent that all superstition, and hypocrisie, crept into divers mens hearts, may vanish away, they shall not set forth or extol any images, reliques, or miracles, for any superstition or lucre; nor allure the people by any inticements to the pilgrimages of any saint, otherwise than is ^opermytte in the articles lately put forth by the authority of the king's majesty, and condescended upon by the prelates and clergy of this his realm in convocation; as though it were proper or peculiar to that saint to give this commodity, or that: seeing all goodness, health, and grace, ought to be both asked and looked for only of God, as of the very Author of the same, and of none other, for without him it cannot be given: but they shall exhort, as well their parishioners as other pilgrims, that they do rather apply themselves to the keeping of God's commandments, and fulfilling of his works of charity: perswading them that they shall please God more by the true exercising of ^Ptheir

^m a om.ⁿ inviolable, as things lawfully provided,^o permitted^P the

bodily labour, travail, or occupation, and providing for their families, than if they went about to the said pilgrimages; and that it shall profit more their ⁹sowle-helthe, if they do bestow that on the poor and needy, which they would have bestowed upon the said images or reliques.

Also in the same their sermons, and other collations, the parsons, vicars, and other curates, aforesaid, shall diligently admonish the fathers and mothers, masters and governours of youth, being within their cure, to teach, or cause to be taught, their children and servants, even from their infancy, their *Pater Noster*, the Articles of our Faith, and the Ten Commandments, in their mother tongue: and the same so taught, shall cause the said youth oft to repeat and understand. And to the ^rintent this may be the more easily done, the said curates shall, in their sermons, deliberately and plainly recite of the said *Pater Noster*, the Articles of our Faith, and the Ten Commandments, one clause or article one day, and another another day, till ^sthole [the whole] be taught and ^tlearned by little; and shall deliver the same in writing, or shew where printed books containing the same be to be sold, to them that can read or will desire the same. And thereto that the said fathers and mothers, masters and governours, do bestow their children and servants, even from their childhood, either to learning, or ^uto some other honest exercise, occupation, or husbandry: exhorting, counselling, and by all the ways and means they may, as well in their said sermons and collations, as otherwise, perswading the said fathers, mothers, masters, and other governours, being under their cure and charge, diligently to provide and foresee that the said youth be in no mannerwise kept or brought up in idleness, lest at any time afterwards they be driven, for lack of some mystery or occupation to live by, to fall to begging, stealing, or some other unthriftiness; forasmuch as we may daily see, through sloth and idleness, divers valiant men fall, some to begging, and some to theft and murder; which after, brought to calamity and misery, impute a great part thereof to their friends and

⁹ souls health, ^r intent that this ^s those ^t learnt ^u to om.

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governours, which suffered them to be brought up so idly in their youth ; where if they had been well educated and brought up in some good literature, occupation, or mystery, they should, being rulers of their own family, have profited, as well themselves as divers other persons, to the great commodity and ornament of the common-weal.

Also, that the said parsons, vicars, and other curates, shall diligently provide that the sacrament and sacramentals be duly and reverently ministred in their parishes ; and if at any time it happen them, either in any of the cases expressed in the statutes of this realm, or of special licence given by the king's majesty to be absent from their benefices, they shall leave their cure, not to a rude and unlearned person, but to an honest, well learned, and expert curate, that may teach the rude and unlearned of their cure wholsom doctrine, and reduce them to the right way that do err ; and always let them see, that neither they, nor their vicars, do seek more their own profit, promotion, or advantage, than the profit of the souls that they have under their cure, or the glory of God.

* Also, that every parson, or proprietary of any parish-church within this realm, shall on this side the feast of St. Peter *ad Vincula* next coming, provide a book of the whole Bible, both in Latin, and also in English, and lay the same in the quire, for every man that will to read and look therein, and shall discourage no man from the reading any part of the Bible, either in Latin or English ; but rather comfort, exhort and admonish every man to read the same as the very word of God, and the spiritual food of man's soul, whereby they may the better know the duties to God, and to their sovereign lord the king, and their neighbour : ever gently and charitably exhorting that using a sober and a modest haviour in the reading and inquisition of the true sense of the same, they do in no wise stiffly or eagerly contend or strive one with another about the same, but refer

* sacraments

y hapned

[* This paragraph is not among these injunctions in the register.]

the declaration of those places that be in controversy to the judgment of them that be better learned.

Also, the said dean, parsons, vicars, curats, and other priests, shall in no wise, at any unlawful time, nor for any other cause, than for their honest necessity, haunt or resort to any taverns or ale-houses; and after their dinner and supper, they shall not give themselves to drinking or riot, spending their time idly, by day or by night, at tables or cards-playing, or any other unlawful game; but at such times as they shall have such leisure, they shall read or hear somewhat of holy scripture, or shall occupy themselves with some other honest exercise; and that they ^zalways do those things which appertain to good congruence and honesty, with profit of the commonweal, having always in mind, that they ought to excel all others in purity of life, and should be ^aexample to all other to live well and Christianly.

Furthermore; because the goods of the church are called the goods of the poor, and at these days nothing is less seen than the poor to be sustained with the same; all parsons, vicars, pensionaries, prebendaries, and other beneficed men within ^bthis deanery, not being resident upon their benefices, which may dispend yearly 20*l.* or above within this deanery or elsewhere, shall distribute hereafter yearly amongst their poor parishioners, or other inhabitants there, in the presence of the church-wardens, or some other honest men of the parish, the fortieth part of the fruits and revenues of ^ctheir said benefices: lest they be worthily noted of ingratitude, which, reserving so many parts to themselves, cannot vouchsafe to impart the fortieth portion thereof amongst the poor people of that parish, that is so fruitful and profitable unto them.

And to the intent that learned men may hereafter spring the more for the execution of the premisses; every parson, vicar, clerk, or beneficed man within this deanery, having yearly to dispend in benefices, and other promotions of the church, an 100*l.* shall give competent exhibition to one scholar; and for as many hundred pounds more as he may

^a always^a examples^b the^c the

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dispend, to so many scholars more shall give like exhibition in the university of ^dOxenford or Cambridge, or some grammar-school; which after they have profited in good learning, may be partners of their patrons cure and charge, as well in preaching as otherwise, in the execution of their offices; or may, when need shall be, otherwise profit the commonwealth with their counsel and wisdom.

Also, that all parsons, vicars, and clerks, having churches, chappels, or ^emansions within this deanery, shall bestow yearly hereafter upon the same mansions, or chancels of their churches being in decay, the fifth part of their benefices till they be fully repaired: and the same so repaired, shall always keep and maintain in good state.

All which and singular injunctions shall be inviolably observed of the said dean, parsons, vicars, curats, stipendaries, and other clerks and beneficed men, under the pain of suspension and sequestration of the fruits of their benefices, until they have done their duty according to these injunctions.

VIII.*

Cromwel's letter to Shaxton, bishop of Sarum, taken from a copy writ by Morisone his secretary.

Cotton lib.
Cleop. E. 4.

MY lord, after hearty commendations, I cannot but both much marvel that you whom I have taken as mine trusty friend, should judge me, as I perceive by your letters you do, and also be glad that ye so frankly utter your stomach to me. I would thank you for your plain writing and free monitions; saving that you seem fuller of suspicion than it becometh a prelate of your sort to be: and (to say that maketh me more sorry) much worse perswaded of me than I thought any of your learning and judgment could have been. I took a matter out of your hands to mine, if upon considerations mine office bind me to do so, what cause have

^d Oxford

^e mansion

[* This letter cannot be found in any of the Cotton MSS.]

ye to complain? If I had done this, either upon affection, or intending prejudice to your estimation, you might have expostulated with mé; and yet if ye then had done it after a gentler sort, I should both sooner have amended that I did amiss, and also have had better cause to judge your writing to me, to be of a friendly heart towards me. If ye be offended with my sharp letters, how can your testy words (I had almost given them another name) delight me? I required you to use no extremity in your office, *durus est hic sermo*, ye call it; and when ye have done, ye begin again, even as though all being said, all were still behind. If ye have used none extremity, I am I ensure you as glad of it as I ought to be: and though ye do not, yet upon a complaint my office bindeth me to succour him that saith he is over-matched, and is compelled to sustain wrong. I was thus informed, and by persons to whom I gave more credit than I intend to do hereafter, if they have abused me, as ye would make me believe they have. They thus complaining, could I do less than grant unto them such remedies as the king's highness and his laws give indifferently to all his subjects? Might I not also somewhat gather, that ye proceeded the sorer against the reader, Roger London, when I had seen how much you desired the preferment of your servant to that revenue? My lord, you had shewed your self of much more patience, I will not say of much more prudence, if you had contented your self with their lawful appeal, and my lawful injunctions; and rather have written somewhat fully to instruct us in this matter, than thus to desire to conquer me by shrewd words, to vanquish me by sharp threp of scripture, which as I know to use travel, so I trust to God as great a clerk as ye be, is done already. Thus out of their place, it becometh me not, neither yet I am wont to vaunt my self of well-doing, I know who worketh all that is well wrought by me; and whereas he is the whole doer, I intend not to offer him this wrong, to labour, and I to take the thanks; yet as I do not cease to give thanks, that it hath pleased his goodness to use me as an instrument, and to work somewhat by me, so I trust I am as

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ready to serve him in my calling, to my little power, as ye are prest to write worse of me than ye ought to think. My prayer is, That God give me no longer life, than I shall be glad to use mine office in *ædificationem*, and not in *destructionem*, as ye bear me in hand I do. God, ye say, will judge such using of authority, meaning flatly, that I do abuse such power as hath pleased God and the king's highness to set me in; God, I say, will judge such judges as ye are, and charge also such thoughts as ye misuse: ye do not so well as I would ye should do, if ye so think of me as your letters make me think ye do. The crime that ye charge me withal, is greater than I may or ought to bear, untruer, I trust, than they that would fainest shall be able to prove. It is a strange thing, you say, that I neither would write, nor send you word by mouth, what ye should do with the popish monks of Abington; and that the abbot of Redding could get straight-way my letters to inhibit your just doings; that was not my mind which I wrote, I did not intend to lett your just doings, but rather to require you to do justly; neither was I swift in granting my letters to him, albeit I am much readier to help him that complains of wrong, than prest to further on him that desireth punishment of a person whom I am not sure hath offended. I made you no answer, a strange thing! my lord, I thought ye had better known my business, than for such a matter to esteem me not your friend; you might have better judged that I was too much cumbred with other affairs, that those which sued for the abbot, could better espy their time than you could. Some man will think it rather utter displeasure conceived before, than that ye have any urgent occasion here to misjudge my mind towards you. As concerning your manor, you must use your priviledges as things lent unto you, so long as ye shall occupy them well, that is, according to the mind and pleasure of them that gave you them. I took neither the monk's cause, nor any other, into my hands, to be a bearer of any such whom their upright dealings is not able to bear. No, you know I think, that I love such readers of scripture as little as ye do: would God

men of your sort were as diligent to see that in all their dioceses good were made, as I am glad to remove things when I know them; if ye had taken even then but half the pains to send up such things against him as ye now send, neither you should have had cause, no nor occasion thus easily to divine of my good or evil-will towards you, nor I have been cumbered with this answer. My lord, I pray you, while I am your friend, take me to be so, for if I were not, or if I knew any cause why I ought not, I would not be afraid to shew you what had alienated my mind from you; so you should well perceive that my displeasure should last no longer than there were cause. I pass over your *Nema lœdatur nisi à seipso*, I pray with you this first part, *Our Lord have pity upon me*; the other part is not in my prayers, *That God should turn my heart*, for he is my judge, I may err in my doings for want of knowledge, but I willingly bear no misdoers, I willingly hurt none whom honesty and the king's laws do not refuse. Undo not you your self, I intend nothing less than to work you any displeasure. If hitherto I have shewed you any pleasure, I am glad of it: I shewed it to your qualities and not to you; if they tarry with you, my good-will cannot depart from you, except your prayer be heard, that is, *My heart be turned*. I assure you I am right glad ye are in the place ye are in, and will do what shall lie in me to aid you in your office, to maintain your reputation, to give you credit among your flock, and else where; as long as I shall see you faithful to your duty, according to your calling. I will not become your good lord, as your desire is, I am and have been your friend, and take you to be mine; cast out vain suspicion; let rash judgment rule men of less wit and discretion; wilfulness becometh all men better than a bishop, which should always teach us to lack gladly our own will, because you may not have your own will. Here is *Christus parv. facit et ditat, cum Dominus dedit et Dominus abstulit*, to what purpose? *Sit nomen Domini benedictum*, can never lack his place, it becometh always in season; or else as great a divine as ye are, I would say, it were not the best placed here, ex-

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cept thou wist better, you had rather lose all than any part of your will. I pray you teach patience better in your deeds, or else speak as little of it as ye can. My lord, you might have provoked another in my place, that would have used less patience with you, finding so little in you; but I can take your writings, and this heat of your stomach, even as well as I can, I trust, beware of flatterers. As for the abbot of Redding, and his monk, if I find them as ye say they are, I will order them as I shall think good. Ye shall do well tō do your duty; if you so do, ye have no cause to mistrust my friendship; if ye do not, I must tell it you, and that somewhat after the plainest sort. To take a cause out of your hands into mine, I do but mine office, you meddle further than your office will bear you, thus roughly to handle me for using of mine. If ye do so no more, I let pass all that is past, and offer you such kindness as ye shall lawfully desire at my hands. Thus fare you well.

IX.

The sentence given out by pope Paul the Third, against king Henry.

Damnatio et excommunicatio Henrici 8 regis Angliæ, ejusque fautorum et complicum, cum aliarum pœnarum adjectione.

Paulus episcopus servus servorum Dei ad perpetuam rei memoriam.

Cherubini
bullarium
tom 2.
pag. 704.

Ejus qui immobilis permanens sua providentia ordine mirabili dat cuncta moveri, disponente clementia, vices, licet immeriti gerentes in terris, et in sede justitiæ constituti, juxta prophetæ quoque Hieremiæ vaticinium dicentis: ecce te constitui super gentes et regna, ut evellas et destruas, ædifices, plantes, præcipuum super omnes reges universæ terræ cunctosq; populos obtinentes principatum: ac illum qui pius et misericors est, et vindictam ei qui illam prævenit paratam temperat, nec quos impœnitentes videt severa

ultione castigat, quin prius comminetur, in assidue autem peccantes et in peccatis perseverantes, cum excessus misericordiae fines prætereunt ut saltem metu poenae ad cor reverti cogantur, justitiae vires exercet, imitantes; ex incumbenti nobis apostolicae sollicitudinis studio per-urgemur, ut cunctarum personarum nostrae curae coelitus commissarum salubri statui solertius intendamus, ac erroribus et scandalis, quæ hostis antiqui versutia imminere conspiciamus, propensius obviamus, excessusq; et enormia ac scandalosa crimina congrua severitate coerceamus, et juxta apostolum inobedientiam ovium promptius ulciscendo, illorum perpetratores debita correctione sic compescamus, quod eos Dei iram provocasse poeniteat, et ex hoc aliis exemplum cautelae salutaris accedat.

Sane cum superioribus diebus nobis relatum fuisset, quod Henricus Angliæ rex, licet tempore pontificatus foel. record. Leonis papæ X. prædecessoris nostri diversorum hæreticorum errores, sæpe ab apostolica sede et sacris conciliis præteritis temporibus damnatos, et novissime nostra ætate per perditionis alumnum Martinum Lutherum suscitatos et innovatos, zelo catholicæ fidei, et erga dictam sedem devotionis fervore inductus, non minus docte quam pie, per quendam librum per eum desuper compositum, et eidem Leoni prædecessori ut eum examinaret et approbaret oblatum, confutasset, ob quod ab eodem Leone prædecessore ultra dicti libri, cum magna ipsius Henrici regis laude et commendatione, approbationem, titulum Defensoris Fidei reportaverit, à recta fide et apostolico tramite devians, ac propriæ salutis, famæ, et honoris immemor, postquam charissima in Christo filia nostra Catharina Angliæ regina illustri sua progenie conjuge, cum qua publice in facie ecclesiæ matrimonium contraxerat, et per plures annos continuaverat, ac ex qua, dicto constante matrimonio, prolem pluries suscepit; nulla legitima subsistente causa, et contra ecclesiæ prohibitionem dimissa, cum quadam Anna Bolena, muliere Anglica, dicta Catharina adhuc vivente, de facto matrimonium contraxerat, ad deteriora prosiliens, quasdam leges ceu generales constitutiones edere non erubuit, per quas

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subditos suos ad quosdam hæreticos et schismaticos articulos tenendos, inter quos et hoc erat quod Romanus pontifex caput ecclesiæ, et Christi vicarius non erat, et quod ipse in Anglica ecclesia supremum caput existebat, sub gravibus etiam mortis pœnis cogebat. Et his non contentus, Diabolo sacrilegii crimen suadente, quamplures prælatos, etiam episcopos, aliasq; personas ecclesiasticas, etiam regulares, necnon sæculares, sibi ut hæretico et schismatico adhærere, ac articulos prædictos sanctorum patrum decretis et sacrorum conciliorum statutis, imo etiam ipsi evangelicæ veritati contrarios, tanquam tales alios damnatos approbare, et sequi nolentes, et intrepide recusantes, capi et carceribus mancipari. Hisq; similiter non contentus, mala malis accumulando, bonæ memoriæ Jo. H. S. Vitalis presbyt. cardinal. Roffen. quem ob fidei constantiam et vitæ sanctimoniam ad cardinalatus flignitatem promoveramus, cum dictis hæresibus et erroribus consentire nollet, horrenda immanitate et detestanda sævitia, publice miserabili supplicio tradi et decollari mandaverat, et fecerat, excommunicationis, et anathematis, aliasq; gravissimas sententias, censuras, et pœnas in literis et constitutionibus recolendæ mem. Bonifacii VIII. Honorii III. Roman. pontificum prædecessorum nostrorum desuper editis contentas, et alias in tales à jure latas damnabiliter incurrendo, ac regnò Angliæ, et dominiis quæ tenebat, necnon regalis fastigii celsitudine ac præfati tituli prærogativa, et honore se indignum reddendo.

2. Nos licet ex eo, quod prout non ignorabamus, idem Henricus rex certis censuris ecclesiasticis, quibus à piæ memoriæ Clemente papa VII. etiam prædecessore nostro, postquam humanissimis literis et paternis exhortationibus, multisq; nunciis et mediis, primo et postremo etiam judicialiter, ut præfatam Annam à se dimitteret, et ad prædictæ Catharinæ suæ veræ conjugis consortium rediret, frustra monitus fuerat, innodatus existerat, Pharaonis duritium imitando, per longum tempus in clavium contemptum insorduerat, et insordescibat, quod ad cor rediret, vix sperare posse videremus, ob paternam tamen charitatem qua in minoribus constituti donec in obedientia, et reverentia sedis prædictæ

permanuit, eum prosecuti fueramus, utq; clarius videre possemus, an clamor qui ad nos delatus fuerat, (quem certe etiam ipsius Henrici regis respectu falsum esse desideramus) verus esset, statuimus ab ulteriori contra ipsum Henricum regem processu ad tempus abstinendo, hujus rei veritatem diligentius indagare.

3. Cum autem debitis diligentis desuper factis clamorem ad nos, ut præfertur, delatum, verum esse, simulque, quod dolenter referimus, dictum Henricum regem ita in profundum malorum descendisse, ut de ejus resipiscentia nulla penitus videatur spes haberi posse, reperimus: nos attendentes vetere lege, crimen adulterii notatum lapidari mandatum, ac auctores schismatis halitu terræ absorptos, eorumq; sequaces coelesti igne consumptos, Elymamque magum viis domini resistentem per apostolum æterna severitate damnatum fuisse, volentesq; ne in districto examine ipsius Henrici regis et subditorum suorum, quos secum in perditionem trahere videmus, animarum ratio à nobis exposcatur, quantum nobis ex alto conceditur, providere contra Henricum regem, ejusque complices, fautores, adhærentes, et sequaces, et in præmissis quomodolibet culpabiles, contra quod ex eo quod excessus, et delicta prædicta adeo manifesta sunt et notoria, ut nulla possint tergiversatione celari, absque ulteriori mora ad executionem procedere possemus, benignius agendo, decrevimus infrascripto modo procedere.

4. Habita itaque super his cum venerabilibus fratribus nostris S. R. E. cardinalibus deliberatione matura, et de illorum consilio et assensu, præfatum Henricum regem, ejusque complices, fautores, adhærentes, consultores et sequaces, ac quoscunque alios in præmissis, ceu eorum aliquo quoquo modo culpabiles, tam laicos quam clericos, etiam regulares cujuscunque dignitatis, status, gradus, ordinis, conditionis, præeminentiae, et excellentiae existant, (quorum nomina et cognomina, perinde ac si præsentibus insererentur, pro sufficienter expressis haberi volumus) per viscera misericordiae Dei nostri hortamur, et requirimus in domino, quatenus Henricus rex à prædictis erroribus prorsus absti-

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neat, et constitutiones, seu leges prædictas, sicut de facto eas fecit, revocet, casset, et annullet, et coactione subditorum suorum ad eas servandas, necnon carceratione, captura, et punitione illorum, qui ipsis constitutionibus seu legibus adhærere, aut eas servare noluerint, et ab aliis erroribus prædictis penitus, et omnino absterneat, et si quos præmissorum occasione captivos habeat, relaxet.

5. Complices vero, fautores, adhærentes, consultores, et sequaces dicti Henrici regis in præmissis, et circa ea ipsi Henrico regi super his de cætero non adsistant, nec adhæreant, vel faveant, nec ei consilium, auxilium, vel favorem, desuper præstent.

6. Alias si Henricus rex, ac fautores, adhærentes, consultores, et sequaces, hortationibus et requisitionibus hujusmodi non annuerint cum effectu, Henricum regem, fautores, adhærentes, consultores et sequaces, ac alios culpabiles prædictos, auctoritate apostolica, ac ex certa nostra scientia, et de apostolicæ potestatis plenitudine, tenore præsentium, in virtute sanctæ obedientiæ, ac sub majoris excommunicationis lata sententia, à qua etiam prætextu cujuscunque privilegii, vel facultatis, etiam in forma confessionalis, cum quibuscunque efficacissimis clausulis nobis et sede prædicta quomodolibet concessis, et etiam iteratis vicibus innovatis, ab alio quam à Romano pontifice, præterquam in mortis articulo constituti, ita tamen, quod si aliquem absolvi contingat, qui postmodum convaluerit, nisi post convalescentiam, monitioni et mandatis nostris hujusmodi paruerit cum effectu, in eandem excommunicationis sententiam reincidant, absolvi non possint.

7. Necnon rebellionis, et quoad Henricum regem, etiam perditionis regni, et dominiorum prædictorum, et tam quoad eum, quam quoad alios monitos supradictos supra et infra scriptis poenis, quas si dictis monitioni et mandatis, ut præfertur, non paruerint, eos, et eorum singulos, ipso facto respective incurrere volumus, per præsentis monemus; eisque et eorum cuilibet districte præcipiendo mandamus, quatenus Henricus rex per se, vel procuratorem legitimum et sufficienti mandato suffultum, infra nonaginta, complices

vero, fautores, adhærentes, consultores, et sequaces, ac alii in præmissis quomodolibet culpabiles supradicti, sæculares et ecclesiastici etiam regulares, personaliter infra sexaginta dies compareant coram nobis, ad se super præmissis legitime excusandum et defendendum; alias videndum et audendum contra eos et eorum singulos, etiam nominatim, quos sic monemus, quatenus expediat, ad omnes et singulos, actus, etiam sententiam definitivam, declaratoriam, condemnatoriam, et privatoriam, ac mandatum executivum procedi. Quod si Henricus rex, et alii moniti prædicti intra dictos terminos eis ut præfertur, respective præfixos non comparuerint, et prædictam excommunicationis sententiam per tres dies, post lapsum dictorum terminorum animo, quod absit, sustinuerint indurato, censuras ipsas aggravamus, et successive reaggravamus, Henricumq; ipsum, privationis regni et dominiarum prædictorum, et tam eum quam alios monitos prædictos et eorum singulos, omnes et singulas alias pœnas prædictas incurrisse, ab omnibusq; Christi fidelibus, cum eorum bonis perpetuo diffidatos esse. Et si interim ab humanis decedat, ecclesiastica debere carere sepultura, auctoritate et potestatis plenitudine prædictis decernimus, et declaramus, eosque anathematis, maledictionis, et damnationis æternæ mucrone percutimus.

8. Necnon quæ præfatus Henricus rex quomodolibet, et ex quavis causa tenet, habet, aut possidet, Quamdiu Henricus rex, et alii moniti prædicti, et eorum singuli in aliis per dictum Henricum regem non tentis, habitis, aut possessis permanserint, et triduo post eorum inde recessum, et alia quæcunq; ad quæ Henricum regem, et alios monitos prædictos, post lapsum dictorum terminorum declinare contigerit, dominia, civitates, terras, castra, villas, oppida, metropolitanasque, et alias cathedrales, cæterasq; inferiores ecclesias, necnon monasteria, prioratus, domos, conventus, et loca religiosa, vel pia cujuscunque, etiam S. Benedict. Cluniacen. Cistercien. Præmonstraten. ac Prædicatorum, Minorum, Eremitarum, S. Augustini, Carmelitarum, et aliorum ordinum, ac congregationum, et militiarum quarumcunque in ipsis dominiis, civitatibus, terris, castris, villis,

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oppidis, et locis existentia, ecclesiastico supponimus interdicto, ita ut illo durante in iis etiam prætextu cujuscunque apostolici indulti, ecclesiis, monasteriis, prioratibus, domibus, conventibus, locis, ordinibus, aut personis, etiam quacunque dignitate fulgentibus concessi, præterquam in casibus à jure permissis, ac etiam in illis alias quam clausis januis, et excommunicatis et interdictis exclusis, nequeant missæ, aut alia divina officia celebrari.

9. Et Henrici regis, complicumque, fautorum, adhærentium, consultorum, sequacium, et culpabilium prædictorum filii, poenarum, ut hic in hoc casu par est, participes sint, omnes et singulos ejusdem Henrici regis ex dicta Anna, ac singulorum aliorum prædictorum filios natos, et nascituros, aliosque descendentes, usque in eum gradum, ad quem jura poenas in casibus hujusmodi extendunt (nemine excepto, nulla; minoris ætatis, aut sexus, vel ignorantie, vel alterius cujusvis causæ habita ratione) dignitatibus, et honoribus in quibus quomodolibet constituti existunt, seu quibus gaudent, utuntur, potiuntur, aut muniti sunt, necnon privilegiis, concessionibus, gratiis, indulgentiis, immunitatibus, remissionibus, libertatibus, et indultis, ac dominiis, civitatibus, castris, terris, villis, oppidis, et locis, etiam commendatis, vel in Gubernium concessis, et quæ in feudum, emphyteusim, vel alias à Romanis, vel aliis ecclesiis, monasteriis, et locis ecclesiasticis, ac secularibus principibus, dominiis, potentatibus, etiam regibus et imperatoribus, aut aliis privatis, vel publicis personis quomodolibet habent, tenent, aut possident, cæterisque omnibus bonis, mobilibus et immobilibus, juribus et actionibus, eis quomodolibet competentibus privatos, dictaque bona feudalia, vel emphyteutica, et alia quæcunque ab aliis quomodolibet obtenta, ad directos dominos, ita ut de illis libere disponere possint, respective devoluta, et eos qui ecclesiastici fuerint, etiamsi religiosi existant, ecclesiis etiam cathedralibus, et metropolitaneis, necnon monasteriis et prioratibus, præposituris, præpositatibus, dignitatibus, personatibus, officiis, canonicatibus et præbendis, aliisque beneficiis ecclesiasticis per eos quomodolibet obtentis privatos, et ad illa ac alia in posterum obtinenda inhabiles esse, similiter

decernimus et declaramus; eosq; sic respective privatos ad illa, et alia quaecunq; similia, ac dignitates, honores, administrationes, et officia, jura, ac feuda in posterum obtinenda, auctoritate et scientia, ac plenitudine similibus inhabilitamus.

10. Ipsiusq; Henrici regis, ac regni omniumq; aliorum dominiorum, civitatum, terrarum, castrorum, villarum, fortalitorum, arcium, oppidorum, et locorum suorum, etiam de facto obtentorum magistratus, judices, castellanos, custodes et officiales quoscunque, necnon communitates, universitates, collegia, feudatarios, vassallos, subditos, cives, incolas, et habitatores etiam forenses, dicto regi de facto obedientes, tam sæculares, quam si qui rationis alicujus temporalitatis ipsum Henricum regem in superiorem recognoscant, etiam ecclesiasticos, à præfato rege, seu ejus complicitibus, fautoribus, adhærentibus, consultoribus, et sequacibus supradictis deputatis, à juramento fidelitatis, jure vassallitico, et omni erga regem, et alios prædictos subjectione absolvimus, ac penitus liberamus. His nihilominus sub excommunicationis poena mandantes, ut ab ejusdem Henrici regis, suorumq; officialium, judicum, et magistratuum quorumcunq; obedientia penitus et omnino recedant, nec illos in superiores recognoscant, neque illorum mandatis obtemperent.

11. Et ut alii eorum exemplo perterriti discant ab hujusmodi excessibus abstinere, eisdem auctoritate, scientia, et plenitudine, volumus, ac decernimus, quod Henricus rex et complices, fautores, adhærentes, consultores, sequaces, et alii in præmissis culpabiles, postquam alias poenas prædictas, ut præfertur, respective incurrerint, necnon præfati descendentes, ex tunc infames existant, et ad testimonium non admittantur, testamenta, et codicillos, aut alias dispositiones, etiam inter vivos concedere, et facere non possint, et ad alicujus successionem ex testamento, vel ab intestato, necnon ad jurisdictionem, seu judicandi potestatem, et ad notoriatum officium, omnesq; actus legitimos quoscunque; ita ut eorum processus, sive instrumenta atq; alii actus quicunque, nullius sint roboris vel momenti, inhabiles existant, et nulli ipsis,

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sed ipsi aliis super quocunque debito et negotio, tam civili, quam criminali, de jure respondere teneantur.

12. Et nihilominus omnes, et singulos Christi fideles, sub excommunicationis, et aliis infrascriptis pœnis, monemus, ut monitos, excommunicatos, aggravatos, interdictos, privatos, maledictos, et damnatos prædictos evitent, et quantum in eis est, et ab aliis evitari faciant, nec cum eisdem, seu præfati regis civitatum, dominiorum, terrarum, castrorum, comitatum, villarum, fortalitiourum, oppidorum, et locorum prædictorum civibus, incolis, vel habitatoribus aut subditis et vassallis, emendo, vendendo, permutando, aut quamcunque mercaturam, seu negotium exercendo, commercium, seu aliquam conversationem, seu communionem habeant: aut vinum, granum, sal, seu alia victualia, arma, pannos, merces vel quasvis alias mercantias, vel res per mare in eorum navibus, triremibus, aut aliis navigiis, sive per terram cum mulis, vel aliis animalibus, deferre aut conducere, seu deferri aut conduci facere, vel delata per illos recipere, publice vel occulte, aut talia facientibus auxilium, consilium, favorem publice vel occulte, directe vel indirecte, quovis quæsito colore, per se, vel alium, seu alios quoquo modo præstare præsumant. Quod si fecerint, ultra excommunicationis prædictæ, etiam nullitatis contractuum quos inirent, necnon perditionis mercium, victualium, et bonorum omnium delatorum, quæ capientium fiant, pœnas similiter eo ipso incurrant.

13. Cæterum quia convenire non videtur, ut cum his qui ecclesiam contemnunt, dum præsertim ex eorum pertinacia spes corrigibilitatis non habetur, hi qui divinis obsequiis vacant, conversentur, quod etiam illos tuto facere non posse dubitandum est, omnium et singularum metropolitanarum et aliarum cathedralium, cæterarumque; inferiorum ecclesiarum et monasteriorum, domorum et locorum religiosorum, et piorum quorumcumque, etiam S. Augustini, S. Benedicti, Cluniacen. Cisterciën. Præmonstraten. ac Prædicatorum, Minorum, Carmelitarum, aliorumque quorumcumque; ordinum, et Militiarum, etiam hospitalis Hierosolymitani, præ-

latis, abbatibus, prioribus, præceptoribus, præpositis, ministris, custodibus, guardianis, conventibus, monachis et canonicis, necnon parochialium ecclesiarum rectoribus, aliisque quibuscumq; personis ecclesiasticis in regno et dominiis prædictis commorantibus, sub excommunicationis ac privationis administrationum et regiminum monasteriorum, dignitatum, personatum, administrationum, ac officiorum, canonicatumque, et præbendarum, parochialium ecclesiarum, et aliorum beneficiorum ecclesiasticorum quorumcumq; quomodolibet qualificatorum, per eos quomodolibet obtentorum, pœnis mandamus, quatenus infra quinque dies, post omnes et singulos terminos prædictos elapsos, de ipsis regno, et dominiis, dimissis, tamen aliquibus presbyteris in ecclesiis quarum curam habuerint, pro administrando baptismo parvulis, et in pœnitentia decedentibus, ac aliis sacramentis ecclesiasticis, quæ tempore interdicti ministrari permittuntur, exeat et discedant, neque ad regnum, et dominia prædicta revertantur; donec moniti, et excommunicati, aggravati, reaggravati, privati, maledicti, et damnati prædictis monitionibus, et mandatis nostris hujusmodi obtemperaverint, meruerint à censuris hujusmodi absolutionis beneficium obtinere, seu interdictum in regno, et dominiis prædictis, fuerit sublatum.

14. Præterea si præmissis non obstantibus, Henricus rex, complices, fautores, adhærentes, consultores, et sequaces prædicti in eorum pertinacia perseveraverint, nec conscientiae stimulus eos ad cor reduxerit, in eorum forte potentia, et armis confidentes, omnes et singulos duces, marchiones, comites, et alios quoscumq; tam seculares, quam ecclesiasticos etiam forenses, de facto dicto Henrico regi obedientes, sub ejusdem excommunicationis, ac perditionis bonorum suorum (quæ, ut infra dicitur, similiter capientium fiant) pœnis, requirimus et monemus, quatenus omni mora, et excusatione postposita, eos, et eorum singulos, ac ipsorum milites et stipendiarios, tam equestres quam pedestres, aliosque quoscumque, qui eis cum armis faverint, de regno et dominiis prædictis, etiam vi armorum, si opus fuerit, expellant: ac quod Henricus rex, et ejus complices, fautores, ad-

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hærentes, consultores, et sequaces, mandatis nostris non obtemperantes prædicti, de civitatibus, terris, castris, villis, oppidiis, fortalitiis, aut aliis locis regni et domini prædictorum se non intromittant, procurent: eis sub omnibus et singulis poenis prædictis inhibentes, ne in favorem Henrici, ejusque complicum, fautorum, adhærentium, consultorum, et sequacium aliorumq; monitorum prædictorum, mandatis nostris non obtemperantium, arma cujuslibet generis offensiva, vel defensiva, machinas quoq; bellicas, seu tormenta (artellarias nuncupata) sumant aut teneant, seu illis utantur, aut armatos aliquos præter consuetam familiam parent, aut ab Henrico rege, complicitibus, fautoribus, adhærentibus, consultoribus, et sequacibus, vel aliis in regis ipsius favorem paratos, quomodolibet, quavis occasione vel causa, per se vel alium seu alios, publice vel occulte, directe vel indirecte teneant, vel receptent, aut dicto Henrico regi seu illius complicitibus, fautoribus, adhærentibus, consultoribus, et sequacibus prædictis, consilium, auxilium, vel quomodolibet ex quavis causa, vel quovis quæsito colore sive ingenio, publice vel occulte, directe vel indirecte, tacite vel expresse, per se vel alium seu alios præmissis, vel aliquo præmissorum præsent, seu præstari faciant quocummodo.

15. Præterea ad dictum Henricum regem facilius ad sanitatem, et præfatæ sedis obedientiam reducendum, omnes et singulos Christianos principes, quacunq; etiam imperiali et regali dignitate fulgentes, per viscera misericordiæ Dei nostri (cujus causa agitur) hortamur et in domino requirimus, eis nihilominus, qui imperatore et rege inferiores fuerint, quos propter excellentiam dignitatis à censuris excipimus, sub excommunicationis poena mandantes, ne Henrico regi ejusq; complicitibus, fautoribus, adhærentibus, consultoribus, et sequacibus, vel eorum alicui, per se vel alium seu alios, publice vel occulte, directe vel indirecte, tacite vel expresse, etiam sub prætextu confederationum aut obligationum quocumque etiam juramento, aut quavis alia firmitate roboratarum, et sæpius geminatarum, à quibus quidem obligationibus et juramentis omnibus, nos eos et eorum singulos eisdem auctoritate et scientia ac plenitudine per præsent

absolvimus, ipsasque confederationes et obligationes tam factas, quam in posterum faciendas, quas tamen (in quantum Henricus rex et complices, fautores, adhærentes, consultores, et sequaces prædicti circa præmissa, vel eorum aliquod se directe vel indirecte juvare possent) sub eadem poena fieri prohibemus, nullius roboris vel momenti, nullasque, irritas, cassas, inanes, ac pro infectis habendas fore decernimus et declaramus, consilium, auxilium, vel favorem quomodolibet præstent, quinimo si qui illis, aut eorum alicui ad præsens quomodolibet assistant, ad ipsis omnino et cum affectu recedant. Quod si non fecerint postquam præsentibus publicatæ et executioni demandatæ fuerint, et dicti termini lapsi fuerint, omnes et singulas civitates, terras, oppida, castra, villas, et alia loca eis subjecta, simili ecclesiastico interdicto supponimus, volentes ipsum interdictum donec ipsi principes à consilio, auxilio, et favore Henrico regi et complicibus, fautoribus, adhærentibus, consultoribus et sequacibus prædictis præstando destiterint, perdurare.

16. Insuper tam principes prædictos, quam quoscunq; alios, etiam ad stipendia quorumcumq; Christi fidelium militantes, et alias quascunq; personas, tam per mare, quam per terras, armigeros habentes, similiter hortamur et requirimus, et nihilominus eis in virtute sanctæ obedientiæ mandantes, quatenus contra Henricum regem, complices, fautores, adhærentes, consultores, et sequaces prædictos, dum in erroribus prædictis, ac adversus sedem prædictam, rebellionem permanserint, armis insurgant, eosq; et eorum singulos persequantur, ac ad unitatem ecclesiæ, et obedientiam dictæ sedis redire cogant et compellant; et tam eos quam ipsorum subditos et vassallos, ac civitatum, terrarum, castrorum, oppidorum, villarum, et locorum suorum incolas, et habitatores, aliosque omnes et singulas personas supradictis mandatis nostris, ut præfertur, non obtemperantes, et quæ præfatum Henricum regem, postquam censuras, et poenas prædictas incurrerit, in dominum quomodolibet, etiam de facto recognoverint, vel ei quovis modo obtemperare præsumpserint, aut qui eum, ac complices, fautores, adhærentes, consultores, sequaces ac alios non obtemperantes prædictos, ex

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 immobilia, mercantias, pecunias, navigia, credita, res, et
 animalia, etiam extra territorium dicti Henrici regis ubilibet
 consistentia, capiant.

17. Nos enim eis bona, mercantias, pecunias, navigia, res, et animalia prædicta sic capta, in proprios eorum usus convertendi, eisdem auctoritate, scientia, et potestatis plenitudine, plenariam licentiam, facultatem et auctoritatem concedimus, illa omnia ad eosdem capientes plenarie pertinere, et spectare, et personas ex regno et dominiis prædictis originem trahentes, seu in illis domicilium habentes, aut quomodolibet habitantes, mandatis nostris prædictis non obtemperantes, ubicunq; eos capi contigerit, capientium servos fieri decernentes: presentesque literas quoad hoc ad omnes alios cujuscunq; dignitatis, gradus, status, ordinis, vel conditionis fuerint, qui ipsi Henrico regi, vel ejus complicibus, fautoribus, adhærentibus, consultoribus, et sequacibus, aut aliis monitionibus, et mandatis nostris hujusmodi quoad commercium non obtemperantibus, vel eorum alicui victualia, arma, vel pecunias subministrare, aut cum eis commercium habere, seu auxilium, consilium, vel favorem, per se vel alium, seu alios, publice vel occulte, directe vel indirecte, quovis modo contra tenorem præsentium præstare præsumserint, extendentes.

18. Et ut præmissa facilius iis quos concernunt innotescant, universis et singulis patriarchis, archiepiscopis, episcopis, et patriarchalium metropolitan. et aliarum cathedralium, et collegiatarum ecclesiarum prælatis, capitulis, aliisque personis ecclesiasticis, sæcularibus ac quorumvis ordinum regularibus, necnon omnibus et singulis, etiam mendicantium ordinum professoribus, exemptis et non exemptis, ubilibet constitutis, per easdem præsentibus sub excommunicationis et privationis ecclesiarum, monasteriorum, ac aliorum beneficiorum ecclesiasticorum, graduum quoque et officiorum, necnon privilegiorum, et indulgiorum quorumcunq; etiam à sede prædicta quomodolibet emanatorum poenis ipso facto incurrendis, præcipimus et mandamus, quatenus ipsi

ac eorum singuli, si, et postquam vigore præsentium desuper requisiti fuerint, infra tres dies immediate sequentes, præfatum Henricum regem, omnesq; alios et singulos, qui supradictas censuras et poenas incurrerint, in eorum ecclesiis, Dominicis et aliis festivis diebus, dum major inibi populi multitudo ad divina convenerit, cum crucis vexillo, pulsatis, campanis, et accensis, ac demum extinctis, et in terram projectis, et conculcatis candelis, et aliis in similibus servari solitis caeremoniis servatis, excommunicatos publice nuncient, et ab aliis nuntiari, ac ab omnibus arctius evitari faciant et mandent, necnon sub supradictis censuris et poenis, præsentibus literas, vel earum transumptum, sub forma infra-scripta confectum, infra terminum trium dierum, postquam, ut præfertur, requisiti fuerint, in ecclesiis, monasteriis, conventibus, et aliis eorum locis, publicari et affigi faciant.

19. Volentes, omnes et singulos cujuscunq; status, gradus, conditionis, præminentie, dignitatis, aut excellentie fuerint, qui quo minus præsentibus literis vel earum transumpta, copie, seu exemplaria, in suis civitatibus, terris, castris, oppidis, villis, et locis legi et affigi, ac publicari possint, per se, vel alium, seu alios, publice vel occulte, directe vel indirecte impediverint, easdem censuras et poenas, ipso facto incurrere. Et cum fraus et dolus nemini debeant patrocinari, ne quisquam ex his, qui alicui regimini et administrationi deputati sunt, infra tempus sui regiminis seu administrationis prædictas sententias, censuras et poenas sustineat, quasi post dictum tempus sententiis, censuris et poenis prædictis amplius ligatus non existat, quemcunque qui dum in regimine, et administratione existens, monitioni et mandato nostris, quoad præmissa vel aliquid eorum obtemperare noluerit, etiam deposito regimine, et administratione hujusmodi, nisi paruerit, eisdem censuris et poenis subjacere decernimus.

20. Et ne Henricus rex ejusq; complices, et fautores, adhærentes, consultores, et sequaces, aliq; quos præmissa concernunt, ignorantiam earundem præsentium literarum, et in eis contentorum prætereundum valeant, literas ipsas (in quibus omnes et singulos, tam juris, quam facti, etiam solemnitatibus, et processuum citationumq; omissarum defectus, etiam si tales sint, de quibus specialis, et expressa men-

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tio facienda esset, propter notorietatem facti, auctoritate, scientia, et potestatis plenitudine, similibus, supplemus) in basilicæ principis apostolorum, et cancellariæ apostolicæ de urbe, et in partibus in collegiatæ B. Mariæ Burgen. Tornacen. et parochialis de Dunikerke oppidorum Morinensis diocesis, ecclesiarum valvis affigi, et publicari mandamus: decernentes quod earundem literarum publicatio sic facta, Henricum regem, ejusque complices, fautores, adhærentes, consultores, et sequaces, omnesq; alios, et singulos quos literæ ipse quomodolibet concernunt, perinde eos arceant, ac si literæ ipsæ eis personaliter lectæ, et intimatæ fuissent, cum non sit verisimile, quod ea, quæ tam patenter fiunt, debeant apud eos incognita remanere.

21. Cæterum quia difficile foret præsentibus literas ad singula quæque loca, ad quæ necessarium esset deferri, singula volumus et dicta auctoritate decernimus, quod earum transumptis manu publici notarii confectis, vel in alma urbe impressis, ac sigillo alicujus personæ in dignitate ecclesiastica constitutæ munitis, ubiq; eadem fides adhibeatur, quæ originalibus adhiberetur, si essent exhibitæ vel ostensæ.

22. Nulli ergo omnino hominum liceat hanc paginam nostræ monitionis, aggravationis, reaggravationis, declarationis, percussionis, suppositionis, inhabilitationis, absolutionis, liberationis, requisitionis, inhibitionis, hortationis, exceptionis, prohibitionis, concessionis, extensionis, suppletionis, mandatorum, voluntatis, et decretorum, infringere, vel ei ausu temerario contraire. Si quis autem hoc attentare præsumpserit, indignationem Omnipotentis Dei, ac beatorum Petri et Pauli apostolorum ejus se noverit incursum.

Datum Romæ apud Sanctum Marcum. Anno incarnationis Domini 1535. 3 kal. Sept. pont. nostri anno 1.

Sequitur suspensio executionis dictæ bullæ, et tandem ejus revocatio, et executio.

Paulus episcopus servus servorum Dei, ad perpetuam rei memoriam.

Cum Redemptor noster ideo illum qui ipsum negaverat, Petrum, viz. universæ ecclesiæ præficere voluerit, ut in sua

culpa disceret aliis esse miserendum, non immerito Romanus pontifex qui ipsius Petri in dignitate successor existit, debet etiam in officio exercendæ misericordiæ ipsius esse successor. Sed cum in eum dirigitur misericordia, qui ex hoc sit insolentior, et obstinator, aliosq; secum trahit in perditionem, debet ipse Romanus pontifex, postposita in eum misericordia, omnem severitatem adhibere, quo membrum illud putridum ita à corpore separetur, ut reliqua membra absq; metu contagionis salva remaneant, præsertim cum pluribus curis adhibitis, et multo tempore in hoc consumpto, morbum quotidie magis invalescere, ipsa experientia comprobatur.

1. Alias cum nobis relatum fuisset, quod Henricus Angliæ rex, præter ea quæ matrimonium de facto, et contra prohibitionem ecclesiæ temerarie contractum concernebant, quasdam leges, seu generales constitutiones subditos suos ad hæresim, et schisma trahentes ediderat, et bonæ memoriæ Joann. tit. Sancti Vitalis presbyterum cardinalem Roffen. publice damnari et capite puniri, ac alios quamplures prælatos, necnon alias personas ecclesiast. hæresi et schismati hujusmodi adhærere nolentes, carceribus mancipari fecerat; nos, licet illi qui talia nobis retulerant tales essent, ut nullo modo de veritate suorum dictorum ambigendum esset, cupientes tamen respectu ipsius Henrici regis, quem antequam in has insanias incideret, peculiari quadam charitate prosequeremur, prædicta falsa reperiri, de eis informationem ulteriorem habere procuravimus, et inveniētes clamorem ad nos delatum verum esse, ne nostro officio deessemus, contra eum procedere decrevimus, juxta formam quarundam literarum nostrarum, quarum tenor sequitur. Et est talis, &c.

Omittitur insertio, quia bulla ipsa est quæ præcedit.

2. Dum autem postea ad dictarum literarum executionem deveniendum esse statuissemus, cum nobis per nonnullos principes, et alias insignes personas persuaderetur, ut ab executione hujusmodi per aliquantum temporis supersederemus, spe nobis data, quod interim ipse Henricus rex ad cor rediret et resipisceret; nos qui, ut hominum natura fert,

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facile credebamus quod desiderabamus, dictam executionem suspendimus, sperantes (ut spes nobis data erat) ex ipsa suspensione, correctionem et resipiscentiam, non autem pertinaciam et obstinationem, ac maiorem delirationem, ut rei effectus edocuit, proventuram.

3. Cum itaq; resipiscentia et correctio hujusmodi quam tribus fere annis expectavimus, non solum postea sequuta non sit, sed ipse Henricus rex quotidie magis se in sua feritate, ac temeritate confirmans in nova etiam scelera proruperit, quippe cum non contentus vivorum prælatorum et sacerdotum crudelissima trucidatione, etiam in mortuos, et eos quidem quos in sanctorum numerum relatos universalis ecclesia pluribus sæculis venerata est, feritatem exercere non expavit, Divi enim Thomæ Cantuarien. archiepiscopi, cujus ossa, quæ in dicto regno Angliæ potissimum, ob innumera ab omnipotenti Deo illic perpetrata miracula, summa cum veneratione in arca aurea in civitate Cantuarien. servabantur, postquam ipsum Divum Thomam, ad maiorem religionis contemptum, in iudicium vocari, et tanquam contumacem damnari ac proditorem declarari fecerat, exhumari, et comburi, ac cineres in ventum spargi jussit, omnem plane cunctarum gentium crudelitatem superans, cum ne in bello quidem hostes victores sævire in mortuorum cadavera soliti sunt; adhæc omnia ex diversorum regum etiam Anglorum, et aliorum principum liberalitate donaria, ipsi arcæ appensa, quæ multa, et maximi pretii erant, sibi usurpavit; nec putans ex hoc satis injuriæ religionis intulisse, monasterium Divo illi Augustino, à quo Christianam fidem Angli acceperunt, in dicta civitate dicatum, omnibus thesauris, qui etiam multi et magni erant, spoliavit, et sicut se in belluam transmutavit, ita etiam belluas quasi socias suas honorare voluit, feras videlicet in dicto monasterio, expulsis monachis, intromittendo, genus quidem sceleris non modo Christi fidelibus, sed etiam Turcis inauditum et abominandum.

4. Cum itaq; morbus iste à nullo quantumvis peritissimo medico alia cura sanari possit, quam putridi membri abscissione, nec valeret cura hujusmodi, absq; eo, quod nos apud Deum causam hanc nostram efficiamus, ulterius retardari,

ad dictarum literarum (quas ad hoc ut Henricus rex, ejusque complices, fautores, adhærentes, consultores, et sequaces, etiam super excessibus per eum novissime, ut præfertur perpetratis, intra terminum eis, quoad alia, per alias nostras literas prædictas respective prefixas, se excusare, alias poenas ipsis literis contentas incurrant, extendimus et ampliamus) publicationem, et deinde, Deo duce, ad executionem procedere omnino statuimus. Et quia à fide dignis accepimus, quod si ipsarum et præsentium literarum publicatio Diep. Rothomagen. vel Boloniæ Ambianen. dioec. oppidis in Franciæ, aut civitate Sancti Andreæ, seu in oppido Calistren. Sancti Andreæ dioec. in Scotiæ regnis, vel in Thuanien. et Antiferten. civitatibus, vel dioec. domini Hiberniæ fiat, non solum tam facile, ut si in locis in dictis literis expressis fieret, sed facilius ipsarum literarum tenor, ad Henrici, et aliorum quos concernunt, præsertim Anglorum, notitiam deveniret; nos volentes in hoc opportune providere, motu, scientia, et potestatis plenitudine prædictis decernimus, quod publicatio literarum superius insertarum, quarum insertioni superius factæ, ac ipsis originalibus quoad validitatem publicationis, seu executionis præsentium, fidem adhiberi volumus, in duobus ex locis præsentibus literis expressis, alias juxta supra insertarum, et præsentium literarum tenore facta, etiam si in locis extra Romanam curiam in dictis præinsertis literis specificatis hujusmodi publicatio non fiat, perinde Henricum regem, et alios quos concernunt præsertim Anglos afficiat, ac si Henrico regi et aliis prædictis præsertim Anglis personaliter intimatæ fuissent.

5. Quodq; præsentium transumptis, juxta modum in præinsertis literis expressum factis, tam in judicio quam extra, eadem fides adhibeatur, quæ originalibus adhiberetur, si forent exhibitæ, vel ostensæ.

6. Non obstantibus constitutionibus et ordinationibus apostolicis, necnon omnibus illis, quæ in dictis literis volumus non obstare, cæterisque contrariis quibuscunque.

7. Nulli ergo omnino hominum liceat hanc paginam nostri decreti, et voluntatis infringere, vel ei ausu temerario contraire. Si quis autem hoc attentare præsumperit, in-

BOOK III. **dignationem Omnipotentis Dei, ac beatorum Petri et Pauli apostolorum ejus se noverit incursum.**

**Dat. Romæ apud S. Petrum, anno incarnationis Domini-
cæ 1588. decimo sexto kal. Januarii, pontificatus nostri anno
quinto.**

X.

The judgment of some bishops concerning the king's supremacy. An original.

Ex MSS.
D. Stilling-
fleet.

THE words of St. John in his 20th chap. *Sicut misit me Pater, et ego mitto vos, &c.* hath no respect to a king's or a prince's power, but only to shew how that the ministers of the word of God, chosen and sent for that intent, are the messengers of Christ, to teach the truth of his gospel, and to loose and bind sin, &c. as Christ was the messenger of his Father. The words also of St. Paul, in the 20th chap. of the Acts; *Attendite vobis et universo gregi, in qua vos Spiritus Sanctus posuit episcopos regere ecclesiam Dei,* were spoken to the bishops and priests, to be diligent pastors of the people, both to teach them diligently, and also to be circumspect that false preachers should not seduce the people, as followeth immediately after in the same place. Other places of scripture declare the highness and excellency of Christian princes authority and power; the which of a truth is most high, for he hath power and charge generally over all, as well bishops, and priests, as other. The bishops and priests have charge of souls within their own cures, power to minister sacraments, and to teach the word of God; to the which word of God Christian princes know-ledge themselves subject; and in case the bishops be negligent, it is the Christian princes office to see them do their duty.

T. Cantuarien.

Joannes London.

Cuthbertus Dunelmen.

Jo. Batwellen.

Thomas Elien.

Nicolaus Sarisburien.

Hugo Wygorn.

J. Roffen.

XI.

BOOK
III.*Injunctions to the clergy made by Cromwell.*

IN the name of God, Amen. By the authority and com-
mission of the excellent prince Henry, by the grace of God, Regist. Cranm. fol. 99. b.
king of England and of France, defensor of the faith; lord
of Ireland; and in earth supream head, under Christ, of
the church of England. I Thomas lord ^aCromwell, lord
privy-seal, vice-gerent to the king's said highness, for all his
jurisdiction ecclesiastical within this realm, do, for the ad-
vancement of the true honour of Almighty God, encrease
of vertue, and discharge of the king's majesty, give and ex-
hibit unto you these injunctions following, to be
kept, observed, and fulfilled, upon the pains hereafter de-
clared.

First; That ye shall truly observe and keep all and singular the king's highness injunctions, given unto you heretofore in my name, by his grace's authority; not only upon the pains therein expressed, but also in your default ^bnowe after this second monition continued, upon further punishment to be straitly extended towards you by the king's highness arbitrement, or his vicegerent aforesaid.

Item; That ye shall provide on this side the feast of next coming, one book of the whole Bible of the largest volume in English, and the same set up in some convenient place within the said church that ye have cure of, whereas your parishioners may most commodiously resort to the same and read it; the charge of which book shall be ratably born between you the parson and the parishioners aforesaid, that is to say, the one half by you, and the other half by them.

Item; That you shall discourage no man privily or apertly from the reading or hearing of the said Bible, but shall expressly provoke, stir, and exhort every person to read the same, as that which is the very lively word of God, that every Christian man is bound to embrace, believe, and follow, if he look to be saved; admonishing them nevertheless

^a Cromwell, privy-seal, and vice-gerent^b nowe om.

BOOK to avoid all contention, altercation therein, and to use an
III. honest sobriety in the inquisition of the true sense of the same, and refer the explication of the obscure places to men of higher judgment in scripture.

Item ; That ye shall every Sunday and holy-day through the year, openly and plainly recite to your parishioners, twice or thrice together, or oftener, if need require, one particle or sentence of the *Pater Noster*, or Creed, in English, to the intent they may learn the same by heart ; and so from day to day, to give them one ^clike lesson or sentence of the same, till they have learned the whole *Pater Noster* and Creed, in English, by rote. And as they be taught every sentence of the same by rote, ye shall expound and declare the understanding of the same unto them, exhorting all parents and housholders to teach their children and servants the same, as they are bound in conscience to do. And that done, ye shall declare unto them the Ten Commandments, one by one, every Sunday and holy-day, till they be likewise perfect in the same.

Item ; That ye shall in confessions every Lent examine every person that cometh to confession unto you, whether they can recite the articles of our faith, and the *Pater Noster* in English, and hear them say the same particularly ; wherein if they be not perfect, ye shall declare to the same, that every Christian person ought to know the same before they should receive the blessed sacrament of the altar ; and monish them to learn the same more perfectly by the next year following, or else, like as they ought not to presume to come to God's board without perfect knowledge of the same, and if they do, it is to the great peril of their souls ; so ye shall declare unto them, that ye look for other injunctions from the king's highness by that time, to stay and repell all such from God's board as shall be found ignorant in the premisses, whereof ye do thus admonish them, to the intent they should both eschew the peril of their souls, and also the worldly rebuke that they might incur ^dhereafter by the same.

^c little

^d after

Item; That ye shall make, or cause to be made, in the said church, and every other cure ye have, one sermon every quarter of the year at ^ethe least, wherein ye shall purely and sincerely declare the very gospel of Christ, and in the same exhort your hearers to the works of charity, mercy, and faith, ^fespecially prescribed and commanded in scripture, and not to repose their trust or affiance in any other works devised by mens fantasies besides scripture: as in wandring to pilgrimages, offering of money, candles, or tapers, ^sto images, or reliques; or kissing or licking the same over, saying over a number of beads, not understood or minded on, or in such-like superstition; for the doing whereof, ye not only have no promise of reward in scripture, but contrariwise great threats and maledictions of God, as things tending to idolatry and superstition, which of all other offences God Almighty doth most detest and abhor, for that the same diminisheth most his honour and glory.

Item.; That such feigned images as ye know in any of your cures to be so abused with pilgrimages or offerings of any thing made thereunto, ye shall, for avoiding of that most detestable offence of idolatry, forthwith take down, and [without] delay; and shall suffer from henceforth no candles, tapers, or images of wax to be set afore any image or picture, but only the light that commonly goeth a-cross the church by the ^hrode-loft, the light before the sacrament of the altar, and the light about the sepulchre; which for the adorning of the church, and divine service, ye shall suffer to remain: still admonishing your parishioners, that images serve for none other purpose, but as to be books of unlearned men, that ⁱcan [ken] no letters, whereby they might be otherwise admonished of the lives and conversation of them that the said images do represent; which images if they abuse, for any other intent than for such remembrances, they commit idolatry in the same, to the great danger of their souls: and therefore the king's highness graciously tendring the weal of his subjects souls, hath in part already, and more will hereafter, travail for

^e the om.^f especially^s to om.^h root-loft,ⁱ ken

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the abolishing of such images as might be an occasion of so great an offence to God, and so great a danger to the souls of his loving subjects.

Item ; That ^kall in such benefices, or cures, as ye have, whereupon ye be not your self resident, ye shall appoint such curates in your stead, as ^lboth can by their ability, ^mand will also promptly, execute these injunctions, and do their duty otherwise; that ye are ⁿbounde in every behalf accordingly, and may profit them, no less with good ^oexample of living, than with declaration of the word of God, or else their lack and defaults shall [be] imputed unto you, who shall straitly answer for the same if they do otherwise.

Item ; That ye shall admit no man to preach within any your benefices or cures, but such as shall appear unto you to be sufficiently licensed thereunto by the king's highness, or his grace's authority, by the archbishop of Canterbury, or the bishop of this diocess; and such as shall be so licensed, ye shall gladly receive to declare the word of God, without any resistance or contradiction.

Item ; If ye have heretofore declared to your parishioners any thing to the extolling or setting forth of pilgrimages, feigned reliques, or images, or any such superstition, that Pye shall now openly afore the same recant and reprove the same, shewing them (as the truth is) that ye did the same upon no ground of scripture, but as one led and seduced by a common error and abuse crept into the church, through the sufferance and avarice of such as felt profit by the same.

Item ; If ye do or shall know any man within your parish, or elsewhere, that is a letter of the word of God to be read in English, or sincerely preached, or of the execution of these injunctions; or a ^qfavourer of the bishop of Rome's pretended power, now by the laws of this realm justly rejected and extirped; ye shall detect and present the same to the king's highness, or his honourable council, or to his vicegerent aforesaid, or the justice of the peace next adjoining.

^k in all ^l can both ^m well, and ⁿ bounden ^o examples
^p you ^q favourer

Item ; That you, and every parson, vicar, or curate within this diocess, shall for every church keep one book or register, wherein he shall write the day and year of every wedding, christning, and burying, made within your parish for your time, and so every man succeeding you likewise ; and also there insert every person's name that shall be so wedded, christned, and buried ; and for the safe keeping of the same book, the parish shall be bound to provide, of their common charges, one sure coffer with two locks and keys, whereof the one to remain with you, and the other with the wardens of every such parish wherein the said book shall be laid up ; which book ye shall every Sunday take forth, and in the presence of the said wardens, or one of them, write and record in the same, all the weddings, christnings, and buryings, made the whole week afore ; and that done, to lay up the book in the said coffer, as afore : and for every time that the same shall be omitted, the party that shall be in the fault thereof, shall forfeit to the said church 3s. 4d. to be employed on the reparation of the same church.

Item ; That ye shall every quarter of a year read these and the other former injunctions, given unto you by the authority of the king's highness, openly and deliberately before all your parishioners, to the intent that both you may be the better admonished of your duty, and your said parishioners the more incited to ensue the same for their part.

Item ; Forasmuch as by a law established, every man is bound to pay his tithes ; no man shall, by colour of duty, omitted by their curates, detain their tithes, and so redouble one wrong with another, or be his own judge, but shall truly pay the same, as hath been accustomed, to their parsons and curates, without any restraint or diminution ; and such lack or default as they can justly find in their parsons and curates, to call for reformation thereof at their ordinaries, and other superiors hands ; who, upon complaint, and due proof thereof, shall reform the same accordingly.

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or

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Item; That no parson shall from henceforth alter or change the order and manner of any fasting-day that is commanded and indicted by the church, nor of any prayer, ^uor divine service, otherwise than is specified in the said injunctions, until such time as the same shall be so ordered and ^xtransposed by the king's highness's authority; the eves of such saints, whose holy-dayes be ^yabrogated, only excepted, which shall be declared henceforth to be no fasting-dayes; excepted, also the commemoration of Thomas Becket, some-time archbishop of Canterbury, which shall be clean omitted, and in the stead thereof, the ferial service used.

Item; That the knolling of the ^zaves after service, and certain other times, which hath been brought in and begun by the pretence of the bishop of Rome's pardon, henceforth be left and omitted, lest the people do hereafter trust to have pardon for the saying of their avies, between the said knolling, as they have done in times past.

Item; Where in times past men have used in divers places in their processions to sing *Ora pro nobis* to so many saints, that they had no time to sing the good suffrages following, as *Parce nobis Domine*, and *Libera nos Domine*, it must be taught and preached, that better it were to omit *Ora pro nobis*, and to sing the other suffrages.

All which and singular injunctions I minister unto you and ^ato your successors, by the king's highness authority to me committed in this part, which I charge and command you by the same authority to observe and keep upon pain of deprivation, sequestration of your fruits, or such other coercion as [to] the king's highness, or his vice-gerent for the time being, shall seem convenient*.

These are also in the bp. of London's Register, fol. 29, 30. with Bonner's mandate to his arch-deacons for observing them, 30 Sept. 1541. anno regn. 32.

^u or of divine ^x transported ^y abrogated, be only ^z avies ^a to om.

[* Here follows, in the register of Crammer, a Latin ratification of the injunctions.]

XII.

Injunctions given by Thomas arch-bishop of Canterbury, to the parsons, vicars, and other curats in his visitation, kept (sede vacante) within the diocess of Hereford, anno Domini 1538.

I.

FIRST ; That ye, and every one of you, shall, with all your diligence and faithful obedience, observe, and cause to be observed, all and singular the king's highness injunctions, by his graces commissaries given in such places as they in times past have visited.

Regist.
Cranm.
fol. 96. b.
fol. 97.

II.

Item ; That ye, and every one of you shall have, by the first day of August next coming, as well a whole Bible in Latin and English, or at the least a New Testament of both the same ^alanguages, as the copies of the king's highness injunctions.

III.

Item ; That ye shall every day study one chapter of the said Bible, or New Testament, conferring the Latin and English together, and to begin at the first part of the book, and so to continue until the end of the same.

IV.

Item ; That ye, ^bnor none of you, shall discourage any layman from the reading of the Bible in ^cLatin or English, but encourage them to ^dit, admonishing them that they so read it, for reformation of their own life, and knowledge of their duty ; and that they be not bold or presumptuous in judging of matters afore they have perfect knowledge.

V.

Item ; That ye, both in your preaching and secret confession, and all other works and doings, shall excite and move your parishioners unto such works as are commanded expressly of God, for the which God shall demand of them a ^estreyght reckoning ; and all other works which men do

^a language, ^b or ^c English or Latin, ^d that, ^e strict

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of their own will or devotion, to teach your parishioners that they are not to be so highly esteemed as the other; and that for the not doing of them God will not ask any accompt.

VI.

Item; That ye, nor none of you, suffer no friar, or religious man, to have any cure or service within your churches or cures, except they be lawfully dispensed withal, or licensed by the ordinary.

VII.

Item; That ye, and every one of you, do not admit any young man or woman to receive the sacrament of the altar, which never received it before, until that he or she openly in the church, after mass, or evening song, upon the holy-day, do recite, in the vulgar tongue, the *Pater Noster*, the Creed, and the Ten Commandments.

VIII.

Item; That ye, and every one of you, shall two times in a quarter declare to your parishioners the band of matrimony, and what great danger it is to all men that useth their bodies but with such persons as they lawfully may by the law of God. And to exhort in the said times your parishioners, that they make no privy contracts, as they will avoid the extream pain of the laws used within the king's realm, by his grace's authority.

XIII.

A letter of Cromwell's to the bishop of Landaff, directing him how to proceed in the reformation. An original.

Cotton lib.
Cleop. E. 4.
fol. 7.

AFTER my right hearty commendations to your lordship, ye shall herewith receive the king's highness letters addressed unto you, to put you in remembrance of his highness travels, and your duty touching order to be taken for preaching, to the intent the people may be taught the truth, and yet not charged at the beginning with over-many novelties; the publication whereof, unless the same be tempered and qualified with much wisdom, do rather breed

contention, division, and contrariety in opinion in the unlearned multitude, than either edifie, or remove from them, and out of their hearts, such abuses as, by the corrupt and unsavoury teaching of the bishop of Rome and his disciples, have crept in the same. The effect of which letters albeit I doubt not, but as well for the honesty of the matter, as for your own discharge, ye will so consider and put in execution, as shall be to his grace's satisfaction in that behalf: yet forasmuch as it hath pleased his majesty to appoint and constitute me in the room and place of his supream and principal minister, in all matters that may touch any thing his clergy, or their doings, I thought it also my part, for the exoneration of my duty towards his highness, and the rather to answer to his grace's expectation, opinion, and trust conceived in me, and in that amongst other committed to my fidelity, to desire and pray you, in such substantial sort and manner, to travel in the execution of the contents of his grace's said letters; namely, for avoiding of contrariety in preaching, of the pronounciation of novelties, without wise and discreet qualification, and the repression of the temerity of those, that either privily, or apertly, directly or indirectly, would advance the pretended authority of the bishop of Rome; as I be not for my discharge ^abothe enforced to complain further, and to declare what I have now written unto you for that purpose, and so to charge you with your own fault, and to devise such remedy for the same, as shall appertain: desiring your lordship to accept my meaning herein, tending only to an honest, friendly, and Christian reformation, for ^bavoidinge of further inconvenience, and to think none unkindness, tho' in this matter, wherein it is almost more than time to speak, I write frankly, compelled and enforced thereunto, both in respect of my private duty, and otherwise, for my discharge; forasmuch as it pleaseth his majesty to use me in the lieu of a counsellor, whose office is as an eye to the prince, to foresee, and in time to provide remedy for such abuses, enormities, and inconveniences, as might else with a little sufferance engender more

^a bothe *om.*^b avoidage

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evil in his publick weal, than could be after ^credoubled, with much labour, study, diligence, and ^dtravail. And thus most heartily fare you well. From the Rolls, the 7th of January.

Your lordship's friend,
Thomas Cromwell.

XIV.

The commission by which Bonner held his bishoprick of the king.

Licentia regia concessa domino episcopo ad exercendam jurisdictionem episcopalem.

Regist.
Bonner.
fol. primo.

HENRICUS Octavus, Dei gratia Angliæ et Franciæ rex, fidei defensor, dominus Hiberniæ, et in terra supremum ecclesiæ Anglicanæ sub Christo caput, reverendo in Christo patri Edmundo Londonensi episcopo salutem. Quandoquidem omnis jurisdictionis autoritas, atq; etiam jurisdictio omnimoda, tam illa quæ ecclesiastica dicitur quam sæcularis, à regia potestate velut à supremo capite, et omnium infra regnum nostrum magistratuum fonte et scaturigine, primitus emanavit, sane illos qui jurisdictionem hujusmodi antehac non nisi precario fungebantur, beneficium hujusmodi sic eis ex liberalitate regia indultum gratis animis agnoscere, idq; regiæ munificentiae solummodo acceptum referre, eique, quotiens ejus majestati videbitur, libenter concedere convenit. Quum itaq; nos per dilectum commissarium nostrum Thomam Cromwell nobilis ordinis garterii militem, dominum Cromwell et de Wymolden nostri privati sigilli custodem, nostrumq; ad quascunq; causas ecclesiasticas nostra autoritate, uti supremi capitis dictæ ecclesiæ Anglicanæ, quomodolibet tractand. sive ventiland. vicem gerentem, vicarium generalem et officialem principalem, per alias literas patentes sigillo nostro majori communitas, constituerimus et præfecerimus. Quia tamen ipse Thomas Cromwell nostris et hujus regni Angliæ tot et tam arduis

^c recovered,

^d travails.

negotiiis adeo præpeditus existit, quod ad omnem jurisdictionem nobis, uti supremo capiti hujusmodi competentem, ubiq; locorum infra hoc regnum nostrum præfatum, in his quæ moram commode non patiuntur aut sine nostrorum subditorum injuria differri non possunt, in sua persona expediend. non sufficiet, nos tuis in hac parte supplicationibus humilibus inclinati, et nostrorum subditorum commodis consulere cupientes, tibi vices nostras sub modo et forma inferius descriptis committendas fore, teq; licentiaudum esse decernimus, ad ordinandum igitur quoscunq; infra dioc. tuam London. ubicunq; oriundos, quos moribus et literatura prævio diligenti et riguroso examine idoneos fore compereris, ad omnes etiam sacros et presbyteratus ordines promovendum, præsentatosque ad beneficia ecclesiastica quæcunque infra dioc. tuam London. constituta, si ad curam beneficiis hujusmodi imminentem sustinend. habiles reperti fuerunt et idonei, admittendum ac in et de iisdem instituendum et investigandum; ac etiam si res ita exigit destituendum, beneficiaq; ecclesiastica quæcunq; ad tuam collationem sive dispositionem spectantia et pertinentia personis idoneis conferendum, atq; approbandum testamenta et ultimas voluntates quorumcunq; tuæ diocæseos, bona, jura, sive credita non ultra summam centum librarum in bonis suis vitæ et mortis suarum temporibus habend. necnon administrationes quorumcunq; subditorum nostrorum tuæ dioc. ab intestato decedend. quorum bona, jura, sive credita non ultra summam prædictam vitæ et mortis suarum temporibus sese extendent, quatenus hujusmodi testatorum approbatio atq; administrationis commissio sive concessio per prædecessores tuos aut eorum alicujus respective commissarios retroactis temporibus fiebat ac fieri et committi potuit, et non aliter committendum, calculumq; ratiocinium et alia in ea parte expedienda causasq; lites et negotia coram te aut tuis deputatis pendend. indecis. necnon alias sive alia, quascunq; sive quæcunq; ad forum ecclesiasticum pertinentia ad te aut tuos deputatos sive deputand. per viam querelæ aut appellationis sive ex offic. devolvend. sive deducen. quæ extra legum nostrarum et statutorum reg. nostri offens. coram te

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aut tuis deputatis agitari, aut ad tuam sive alicujus commissariorum per te vigore hujus commissionis nostræ deputandorum cognitionem devolvi aut deduci valeant et possint, examinand. et decidend. Ad visitandum insuper capitulum ecclesiæ tuæ cathedral. London. civitatemq; London. necnon omnia et singula monasteria, abbatias et prioratus, collegia et alia loca pia, tam religiosa quam hospitalia, quæcunq; clerumq; et populum dict. dioc. London. quatenus ecclesiæ, monasterii, abbatiae, per te sive predecessores tuos London. episcopos visitatio hujusmodi temporibus retroactis exerceri potuit, ac per te sive per eosdem de legibus et statutis ac juribus regni nostri exerceri potuit et potest, et non aliter: necnon ad inquirendum per te, vel alium seu alios ad id per te deputandum sive deputandos, tam ex officio mero mixto quam promotio super quorumcunq; excessibus, criminibus seu delictis quibuscunq; ad forum ecclesiasticum spectantibus infra dioc. London. ac delinquentes sive criminosos, juxta comperta per te in ea parte per licita juris remedia pro modo culpæ, prout natura et qualitas delicti poposcerit, coercendum et puniendum, cæteraq; omnia et singula in præmissis seu aliquo præmissorum, aut circa ea necessaria seu quomodolibet opportuna, ac alia quæcunq; auctoritatem et jurisdictionem episcopalem quovismodo respiciend. et concernend. præter et ultra ea quæ tibi ex sacris literis divinitus commissæ esse dignoscantur, vice, nomine, et auctoritate nostris exequendum, tibi, de cujus sana doctrina, conscientiæ puritate, vitæq; et morum integritate, ac in rebus gerendis fide et industria plurimum confidimus, vices nostras cum potestate alium vel alios, commissarium vel commissarios, ad præmissa seu eorum aliqua surrogandi et substituendi, eosdemq; ad placitum revocand. tenore præsentium committimus, ac liberam facultatem concedimus; teq; licentiam per præsentis ad nostri bene placiti duntaxat duraturas cum cujuslibet congruæ et ecclesiasticæ coercionis potestate quacunq; inhibitione in te datam præsentium emanata in aliquo non obstante tuam conscientiam coram Deo strictissime onerantes, et ut summo omnium judici aliquando rationem reddere, et coram nobis tuo cum periculo

corporali respondere intendis: te admonentes ut interim tuum officium juxta evangelii normam pie et sancte exercere studeas, et ne quem ullo tempore unquam vel ad sacros ordines promoveas, vel ad curam animarum gerend. quovis modo admittas, nisi eos duntaxat quos ad tanti et tam venerabilis officii functionem vitæ et morum integritas certissimis testimoniis approbata, literarum scientiæ et aliæ qualitates requisitæ ad hoc habiles et idoneos clare et luculenter ostenderit et declaraverint; nam ut maxime compertum cognitumq; habemus morum omnium, et maxime Christianæ religionis corruptelam à malis pastoribus in populum emanasse, sic ut veram Christi religionem, vitæq; et morum emendationem à bonis pastoribus iterum delectis et assumptis in integrum restitutum iri haud dubie speramus. In cujus rei testimonium præsentis literas nostras inde fieri, et sigilli nostri quo ad causas ecclesiasticas utimur appensione jussimus communiri. Dat. 12. die mensis Novemb. anno Dom. 1539. et regni nostri anno 31.

XV.

The king's letters patents for printing the Bible in English.

HENRY the Eighth, &c. To all and singular printers Rot. Pat. and sellers of books within this our realm, and all other offi- 31. Hen. 8. cers, ministers, and subjects, these our letters hearing or seeing, greeting. We let you wit, that being desirous to have our people at all times convenient, give themselves to the attaining the knowledg of God's word, whereby they will the better honour him, and observe and keep his commandments; and also do their duties better to us, being their prince and sovereign lord: and considering that this our zeal and desire cannot by any mean take so good effect, as by the granting to them the free and liberal use of the Bible in our own natural English tongue: so unless it be foreseen that the same pass at the beginning by one translation to be perused and considered; the frailty of men is such, that the diversity thereof may breed and bring forth

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manifold inconveniences ; as when wilful and heady folk shall confer upon the diversity of the said translations. We have therefore appointed our right trusty and well-beloved counsellor, the lord Cromwell, keeper of our privy-seal, to take for us, and in our name, special care and charge, that no manner of person, or persons, within this our realm, shall enterprise, attempt, or set in hand to print any Bible in the English tongue of any manner of volumn, during the space of five years next ensuing after the date hereof, but only all such as shall be deputed, assigned, and admitted by the said lord Cromwell.

The 18 Novemb. *tricesimo primo regni.*

XVI.

The attainder of Thomas Cromwell.

Item quædam alia petitio, formam cujusdam actus attincturæ in se continens, exhibita est suæ regicæ majestati in parlamento prædicto, cujus tenor sequitur in hæc verba.

Parliament
Rolls. Act
60. anno
regni tri-
cesimo se-
cundo.

IN their most humble-wise shewing to your most royal majesty, the lords spiritual and temporal, and all your most loving and obedient subjects, the commons in this your most high court of parliament assembled ; that where your most royal majesty, our natural sovereign lord, is justly, and lawfully, really entituled to be our sole supream head and governour, of this your realm of England, and of the dominions of the same ; to whom, and to none other under God, the kingly direction, order, and governance of your most loving and obedient subjects, and people of this your realm, only appertaineth and belongeth. And the which your most loving and obedient subjects, your highness prudently and quietly, without any manner of disturbance by a long time most graciously hath preserved, sustained and defended : and your highness, for the quietness, wealth, and tranquillity of your said humble and obedient subjects, hath made, and ordained, divers and many most godly, vertuous and wholesome laws ; and for due execution of the same,

hath not desisted to travel in your own most royal person, to support and maintain, as well the laws of Almighty God, as the laws by your highness made and ordained, by due and condign execution of the same laws upon the transgressors offending contrary to the same: and your majesty hath always most vertuously studied and laboured, by all ways, and all means, to and for the setting forth thereof, in such wise as might be most to the honour, glory, and pleasure of Almighty God; and for the common accord and wealth of this your realm, and other your dominions: and for the true execution of the same, hath elected, chosen and made divers, as well of your nobles as others, to be of your most honourable council, as to the honour of a noble prince appertaineth. And where your majesty hath had a special trust and confidence in your said most trusty counsellors, that the same your counsellors, and every of them, had minded and intended, and finally purposed to have followed and pursued your most godly and princely purpose, as of truth the more number hath most faithfully done; yet nevertheless Thomas Cromwell, now earl of Essex, whom your majesty took and received into your trusty service, the same Thomas then being a man of very base and low degree, and for singular favour, trust and confidence, which your majesty bare and had in him, did not only erect and advance the same Thomas unto the state of an earl, and enriched him with manifold gifts, as well of goods, as of lands and offices, but also him, the said Thomas Cromwell, earl of Essex, did erect and make one of your most trusty counsellors, as well concerning your grace's supream jurisdictions ecclesiastical, as your most high secret affairs temporal. Nevertheless your majesty now of late hath found, and tried, by a large number of witnesses, being your faithful subjects, and personages of great honour, worship, and discretion, the said Thomas Cromwell, earl of Essex, contrary to the singular trust and confidence which your majesty had in him, to be the most false and corrupt traitor, deceiver, and circumventor against your most royal person, and the imperial crown of this your realm, that hath been known,

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seen, or heard of in all the time of your most noble reign: insomuch that it is manifestly proved and declared, by the depositions of the witnesses aforesaid, that the same Thomas Cromwell, earl of Essex, usurping upon your kingly estate, power, authority, and office; without your grace's commandment or assent, hath taken upon him to set at liberty divers persons being convicted and attainted of misprision of high treason; and divers other being apprehended, and in prison, for suspicion of high treason; and over that, many and divers times, at sundry places in this your realm, for manifold sums of money to him given, most traiterously hath taken upon him, by several writings, to give and grant, as well unto aliens, as to your subjects, a great number of licenses for conveying and carrying of money, corn, grain, beans, beer, leather, tallow, bells, mettals, horses, and other commodities of this your realm, contrary to your highness's most godly and gracious proclamations made for the commonwealth of your people of this your realm in that behalf, and in derogation of your crown and dignity. And the same Thomas Cromwell, elated and full of pride, contrary to his most bounden duty, of his own authority and power, not regarding your majesty royal; and further, taking upon him your power, sovereign lord, in that behalf, divers and many times most traiterously hath constituted, deputed and assigned, many singular persons of your subjects to be commissioners in many your great, urgent and weighty causes and affairs, executed and done in this your realm, without the assent, knowledge, or consent of your highness. And further also, being a person of as poor and low degree, as few be within this your realm; pretending to have so great a stroke about you, our, and his natural sovereign liege lord, that he letted not to say publickly, and declare, that he was sure of you; which is detestible, and to be abhorred amongst all good subjects in any Christian realm, that any subject should enterprize or take upon him so to speak of his sovereign liege lord and king. And also of his own authority and power without your highness's consent, hath made, and granted, as well to strangers as to your own sub-

jects, divers and many pass-ports, to pass over the seas, with horses, and great sums of money, without any search. And over that, most gracious sovereign lord, amongst divers other his treasons, deceits, and falshoods, the said Thomas Cromwell, earl of Essex, being a detestable heretick, and being in himself utterly disposed to set and sow common sedition and variance among your true and loving subjects, hath secretly set forth and dispersed into all shires, and other territories of this your realm, and other your dominions, great numbers of false erroneous books, whereof many were printed and made beyond the seas, and divers other within this realm, comprising and declaring, among many other evils and errors, manifest matters to induce and lead your subjects to diffidence, and refusal of the true and sincere faith and belief, which Christian religion bindeth all Christian people to have, in the most holy and blessed sacrament of the altar, and other articles of Christian religion, most graciously declared by your majesty, by authority of parliament: and certain matters comprised in some of the said books, hath caused to be translated into our maternal and English tongue: and upon report made unto him by the translator thereof, that the matter so translated hath expressly been against the said most blessed and holy sacrament; yet the same Thomas Cromwell, earl of Essex, after he had read the same translation, most heretically hath affirmed the same material heresie so translated, to be good; and further hath said, that he found no fault therein; and over that, hath openly and obstinately holden opinion, and said, That it was as lawful for every Christian man to be a minister of the said sacrament, as well as a priest. And where also your most royal majesty, being a prince of virtue, learning, and justice, of singular confidence and trust, did constitute and make the same Thomas Cromwell, earl of Essex, your highness's vicegerent within this your realm of England; and by the same, gave unto him authority and power, not only to redress and reform all, and all manner of errors, and erroneous opinions, insurging and growing among your loving and obedient subjects of this your realm,

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and of the dominions of the same, but also to order and direct all ecclesiastical and spiritual causes within your said realm, and dominions; the said Thomas Cromwell, earl of Essex, not regarding his duty to Almighty God, and to your highness, under the seal of your vicegerent, hath without your grace's assent or knowledge, licensed and authorized divers persons, detected and suspected of heresies, openly to teach and preach amongst your most loving and obedient subjects within this your realm of England. And under the pretence and colour of the said great authorities and cures, which your majesty hath committed unto him in the premisses, hath not only, of his corrupt and damnable will and mind, actually, at some time, by his own deed and commandment, and at many other times by his letters expressly written to divers worshipful persons, being sheriffs, in sundry shires of this your realm, falsely suggesting thereby your grace's pleasure so to have been, caused to be set at large many false hereticks, some being there indicted, and some other being thereof apprehended, and in ward: and commonly, upon complaints made by credible persons unto the said Thomas Cromwell, earl of Essex, of great and most detestible heresies committed and sprung in many places of this your realm, with declaration of the specialities of the same heresies, and the names of the offenders therein, the same Thomas Cromwell, earl of Essex, by his crafty and subtil means and inventions, hath not only defended the same hereticks from punishment and reformation; but being a fautor, maintainer, and supporter of hereticks, divers times hath terribly rebuked divers of the said credible persons being their accusers, and some others of them hath persecuted and vexed by imprisonment and otherwise. So that thereby many of your grace's true and loving subjects have been in much dread and fear, to detect or accuse such detestable known hereticks; the particularities and specialities of which said abominable heresies, errors, and offences, committed and done by the said Thomas Cromwell, being over-tedious, long, and of too great number here to be expressed, declared, or written. And to the intent to have

those damnable errors and heresies, to be inculcated, impressed, and infixed in the hearts of your subjects, as well contrary to God's laws, as to your laws and ordinances. Most gracious sovereign lord, the same Thomas Cromwell, earl of Essex, hath allured and drawn unto him by retainours, many of your subjects sunderly inhabiting in every of your said shires and territories, as well erroneously perswading and declaring to them the contents of the false erroneous books, above-written to be good, true, and best standing with the most holy word and pleasure of God; as other his false and heretical opinions and errors; whereby, and by his confederacies therein, he hath caused many of your faithful subjects to be greatly infected with heresies, and other errors, contrary to the right laws and pleasure of Almighty God. And the same Thomas Cromwell, earl of Essex, by the false and traiterous means above-written, supposing himself to be fully able, by force and strength, to maintain and defend his said abominable treasons, heresies, and errors, not regarding his most bounden duty to Almighty God, and his laws, nor the natural duty of allegiance to your majesty, in the last day of March, in the 30 year of your most gracious reign, in the parish of St. Peter the Poor, within your city of London, upon demonstration and declaration then and there made unto him, that there were certain new preachers, as Robert Barnes clerk, and other, whereof part were committed to the Tower of London, for preaching and teaching of leud learning against your highness's proclamations; the same Thomas affirming the same preaching to be good, most detestably, arrogantly, erroneously, wilfully, maliciously, and traiterously, expressly against your laws and statutes, then and there did not let to declare, and say, these most traiterous and detestable words ensuing, amongst other words of like matter and effect; that is to say, *That if the king would turn from it, yet I would not turn; and if the king did turn, and all his people, I would fight in the field in mine own person, with my sword in my hand against him and all others; and then, and there, most traiterously pulled out his dagger,*

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and held it on high, saying these words, *Or else this dagger thrust me to the heart, if I would not die in that quarrel against them all: and I trust, if I live one year or two, it shall not lie in the king's power to resist or lett it if he would.* And further, then and there swearing by a great oath, traiterously affirmed the same his traiterous saying and pronounciation of words, saying, *I will do so indeed,* extending up his arm, as tho' he had had a sword in his hand; to the most perilous, grievous, and wicked example of all other your loving, faithful and obedient subjects in this your realm, and to the peril of your most royal person. And moreover, our most gracious sovereign lord, the said Thomas Cromwell, earl of Essex, hath acquired and obtained into his possession, by oppression, bribery, extort, power, and false promises made by him, to your subjects of your realm, innumerable sums of money and treasure; and being so enriched, hath had your nobles of your realm in great disdain, derision, and detestation, as by express words by him most opprobriously spoken hath appeared. And being put in remembrance of others, of his estate, which your highness hath called him unto, offending in like treasons, the last day of January, in the 31 year of your most noble reign, at the parish of St. Martins in the Field, in the county of Middlesex, most arrogantly, willingly, maliciously, and traiterously, said, published, and declared, *That if the lords would handle him so, that he would give them such a break-fast as never was made in England, and that the proudest of them should know;* to the great peril and danger, as well of your majesty, as of your heirs and successors: for the which his most detestable and abominable heresies and treasons, and many other his like offences and treasons over-long here to be rehearsed and declared. Be it enacted, ordained, and established by your majesty, with the assent of the lords spiritual and temporal, and the commons in this present parliament assembled, and by the authority of the same, That the said Thomas Cromwell, earl of Essex, for his abominable and detestable heresies and treasons, by him most abominably, heretically, and traiter-

ously practised, committed, and done, as well against Almighty God, as against your majesty, and this your said realm, shall be, and stand, by authority of this present parliament, convicted and attainted of heresie and high-treason, and be adjudged an abominable and detestable heretick and traitor; and shall have and suffer such pains of death, losses, and forfeitures of goods, debts, and chattels, as in cases of heresie and high-treason, or as in cases of either of them, at the pleasure of your most royal majesty. And that the same Thomas Cromwell, earl of Essex, shall, by authority abovesaid, lose, and forfeit to your highness, and to your heirs and successors, all such his castles, lordships, mannors, messuages, lands, tenements, rents, reversions, remainders, services, possessions, offices, rights, conditions, and all other his hereditaments, of what names, natures, or qualities soever they be, which he the said Thomas Cromwell, earl of Essex, or any other to his use had, or ought to have had, of any estate of inheritance, in fee-simple or fee-tail, in reversion or possession, at the said last day of March, in the said thirtieth year of your most gracious reign, or any time sith or after, as in cases of high-treason. And that all the said castles, lordships, mannors, lands, messuages, tenements, rents, reversions, remainders, services, possessions, offices, and all other the premisses forfeited, as is abovesaid, shall be deemed, invested, and adjudged, in the lawful, real, and actual possession of your highness, your heirs and successors for ever in the same, and in such estate, manner and form, as if the said castles, lordships, mannors, messuages, lands, tenements, rents, reversions, remainders, services, possessions, offices, and other the premisses, with their appurtenances, and every of them, were especially or particularly founden, by office or offices, inquisition or inquisitions, to be taken by any escheator or escheators, or any other commissioner or commissioners, by vertue of any commission or commissions to them or any of them, to be directed in any county or counties, shire or shires, within this your realm of England, where the said castles, and other the premisses, or any of them, been, or do lye, and returned

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into any of your majesty's courts. Saving to all and singular, person and persons, bodies politick and corporate, their heirs and successors, and their successors and assigns of every of them, other than the said Thomas Cromwell, earl of Essex, and his heirs, and all and every other person and persons, claiming by the same Thomas Cromwell, and to his use, all such right, title, entrie, possessions, interest, reversions, remainders, lease, leases, conditions, fees, offices, rents, annuities, commons, and all other commodities, profits, and hereditaments whatsoever they or any of them might, should, or ought to have had, if this act had never been had or made. Provided always, and be it enacted by the authority aforesaid, that this act of attainder, ne any offence, ne other thing therein contained, extend not unto the deanery of Wells in the county of Sommerset; nor to any mannors, lands, tenements, or hereditaments thereunto belonging; nor be in any wise prejudicial or hurtful unto the bishop of Bath and Wells, nor to the dean and chapter of the cathedral church of St. Andrew of Wells, nor to any of them, nor to any of their successors; but that the said bishop, dean, and chapters, and their successors, and every of them, shall and may have, hold, use, occupy, and enjoy, all and singular their titles, rights, mannors, lands, tenements, rents, reversions, and services, and all and singular other their hereditaments, commodities, and profits, of what nature, kind, or quality, or condition soever they be, in as ample and large manner and form, as tho' this act of attainder, or any offence therein mentioned, had never been had, committed, nor made; and that from hence-forth the dean, and his successors, deans of the said cathedral church that hereafter shall be perfected, elected, and admitted to the same, shall, by the authority aforesaid, be dean of the said cathedral church, fully and wholly incorporated with the chapter of the same, in as ample, large, and like manner and form, to all intents and purposes, as the deans before this time hath been and used to be, with the said chapter of the said cathedral church of Wells. And that the same dean and chapter, and their successors, shall have,

occupy, and enjoy, all and singular their such possessions, mannors, lands, tenements, rents, reversions, and services, and all and singular their hereditaments, of what nature, kind, name or names they be called or known. And shall be adjudged and deemed in actual and real possession and seizin of, and in the same premises, to all intents and purposes, according to their old corporation, as tho' this act of attainder, or any thing, clause, or matter therein contained had never been had, committed, nor made. This said act of attainder, or any other act, provision, or any thing heretofore had or made to the contrary notwithstanding. *Cui quidem petitioni cum provisione prædict. perlect. et intellect. per dictum dominum regem ex autoritate et consensu parliamenti prædicti sic responsum est.*

Soit faict come il est desiro.

XVII.*

Cromwel's letter to the king concerning his marriage with Ann of Cleve. An original.

To the king, my most gracious sovereign lord his royal majesty.

MOST merciful king, and most gracious sovereign lord, may it please the same to be advertised, that the last time it pleased your benign goodness to send unto me the right honourable lord chancellor, the right honourable duke of Norff. and the lord admiral, to examine, and also to declare unto me divers things from your majesty ; among the which, one special thing they moved, and thereupon they charged me, as I would answer before God at the dreadful day of judgment, and also upon the extream danger and damnation of my soul and conscience, to say what I knew in the marriage, and concerning the marriage, between your highness and the queen. To the which I answered as I knew, de-

Cotton lib.
Otho C. 10.

[* This is one of the articles now wanting in the Cotton manuscript.]

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claring unto them the particulars, as nigh as I then could call to remembrance. Which when they had heard, they, in your majesty's name, and upon like charge as they had given me before, commanded me to write to your highness the truth, as much as I knew in that matter; which now I do, and the very truth, as God shall save me, to the uttermost of my knowledg. First; after your majesty heard of the lady Ann of Cleves arrival at Dover, and that her journeyes were appointed towards Greenwich, and that she should be at Rochester on new-years even at night, your highness declared to me, that you would privily visit her at Rochester, upon new-years-day, adding these words, *To nourish love*; which accordingly your grace did upon new-years-day, as is above-said. And the next day, being Friday, your grace returned to Greenwich, where I spake with your grace, and demanded of your majesty, how ye liked the lady Ann: your highness answered, as me thought, heavily, and not pleasantly, *Nothing so well as she was spoken of*; saying further, *That if your highness had known as much before as ye then knew, she should not have come within this realm*; saying as by the way of lamentation, *What remedy*? Unto the which I answered and said, I know none, but was very sorry therefore; and so God knoweth I was, for I thought it a hard beginning. The next day after the receipt of the said lady, and her entry made unto Greenwich, and after your highness had brought her to her chamber, I then waited upon your highness into your privy-chamber; and being there, your grace called me unto you, saying to me these words, or the like, *My lord, is it not as I told you? say what they will, she is nothing so fair as she hath been reported; howbeit she is well and seemly*. Whereunto I answered and said, By my faith, sir, ye say truth; adding thereunto, that I thought she had a queenly manner; and nevertheless was sorry that your grace was no better content: and thereupon your grace commanded me to call together your council, which were these by name; the arch-bishop of Canterbury, the dukes of Norfolk and Suffolk, my lord admiral, and my lord of Duresme, and my

self to commune of these matters, and to know what commissions the agents of Cleves had brought, as well touching the performance of the covenants sent before from hence to Dr. Wotton, to have been concluded in Cleves, as also in the declaration how the matters stood for the covenants of marriage, between the duke of Lorrain's son, and the said lady Ann. Whereupon Olesleger and Hogeston were called, and the matters proposed; whereby it plainly appeared, that they were much astonished and abashed, and desired that they might make answer in the next morning, which was Sunday: and upon the Sunday in the morning your said counsellors and they met together early, and there afterwards was proposed unto them, as well touching the commission for the performance of the treaty and articles sent to Mr. Wotton, as also touching the contracts and covenants of marriage between the duke of Lorrain's son, and the lady Ann, and what terms they stood in. To which things so proposed, they answered as men much perplexed, That as touching commission, they had none to treat concerning the articles sent to Mr. Wotton. And as to the contract and covenants of marriage they could say nothing, but that a revocation was made, and that they were but sponsals. And finally, after much reasoning, they offered themselves to remain prisoners, until such time as they should have sent unto them from Cleves the first articles ratified under the duke their master's sign and seal, and also the copy of the revocation made between the duke of Lorrain's son and the lady Ann. Upon the which answers, I was sent to your highness by my lords of your council, to declare to your highness their answer; and came to you, by the privy way, into your privy chamber, and declared unto the same all the circumstances, wherewith your grace was very much displeased, saying, *I am not well handled*; insomuch that I might well perceive that your highness was fully determined not to have gone through with the marriage at that time, saying unto me these words, or the like in effect; *That if it were not that she is come so far unto my realm, and the great preparations that my states and people have made for*

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her, and for fear of making a ruffle in the world; that is, to mean to drive her brother into the hands of the emperor, and the French king's hands, being now together, I would never have ne married her. So that I might well perceive your grace was neither content with the person, ne yet with the proceedings of the agents; and at after-dinner, the said Sunday, your grace sent for all your said counsellors in, repeating how your highness was handled, as well touching the said articles, as also the said matter of the duke of Lorraine's son. It might, and I doubt not did, appear unto them how loth your highness was to have married at that time. And thereupon, and upon the considerations aforesaid, your grace thought that it should be well done that she should make a protestation before your said counsellors and notaries to be present, that she was free from all contracts; which was done accordingly. And thereupon I repairing to your highness, declared how that she had made her protestation. Whereunto your grace answered in effect these words, or much like; *Is there none other remedy, but that I must needs, against my will, put my neck in the yoke?* and so departed, leaving your highness in a study or pensiveness. And yet your grace determined the next morning to go through; and in the morning, which was Monday, your majesty preparing your self towards the ceremonies; there was one question, who should lead to the church? and it was appointed that the earl of Essex deceased, and an earl that came with her, should lead her to the church. And thereupon one came to your highness, and said to you, That the earl of Essex was not come; whereupon your grace appointed me to be one that should lead her: and so I went into her chamber, to the intent to have done your commandment; and shortly after I came into her chamber, the earl of Essex was come: whereupon I repaired back again into your graces privy-chamber, and shewed your highness how he was come; and thereupon your majesty advanced towards the gallery out of your privy chamber; and your grace being in and about the midst of your chamber of presence, called me unto you, saying these words, or

the like in sentence; *My lord, if it were not to satisfy the world, and my realm, I would not do that I must do this day for none earthly thing*; and therewith one brought your grace word that she was coming; and thereupon your grace repaired into the gallery towards the closet, and there paused for her coming, being nothing content that she so long tarried, as I judged then. And so consequently she came, and your grace afterwards proceeded to the ceremonies; and they being finished, travelled the day as appertained, and the night after the custom. And in the morning on Tuesday, I repairing to your majesty into your privy-chamber, finding your grace not so pleasant as I trusted to have done, I was so bold to ask your grace how you liked the queen? Whereunto your grace soberly answered, saying, *That I was not all men, surely, as ye know, I liked her before not well, but now I like her much worse; for, quoth your highness, I have felt her belly, and her breasts, and thereby, as I can judge, she should be no maid; which strook me so to the heart when I felt them, that I had neither will nor courage to proceed any further in other matters*; saying, *I have left her as good a maid as I found her*: which methought then ye spake displeasantly, which made me very sorry to hear; your highness also after Candelmas, and before Showstie, once or twice said, *That ye were in the same case with her as ye were afore, and that your heart could never consent to meddle with her carnally*. Notwithstanding your highness alledged that ye for the most part used to lay nightly, or every second night by her; and yet your majesty ever said, *That she was as good a maid for you as ever her mother bare her, for any thing ye had ministred to her*. Your highness shewed to me also in Lent last passed, at such time as your grace had some communication with her of my lady Mary, how that she began to wax stubborn and wilful, ever lamenting your fate, and ever verifying that ye never had any carnal knowledge with her: and also after Easter, your grace likewise, at divers times, and in the Whitsun-week, in your grace's privy-chamber at Greenwich, exceedingly lamented your fate, and

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that your greatest grief was, *That ye should surely never have any more children for the comfort of this realm, if ye should so continue*; assuring me, *that before God ye thought she was never your lawful wife*. At which time your grace knoweth what answer I made; which was, that I would for my part do my utmost to comfort and deliver your grace of your afflictions; and how sorry I was both to see and hear your grace, God knoweth. Your grace divers times sithen Whitsuntide, ever alledging one thing, and also saying, *That ye had as much to do to move the consent of your heart and mind as ever did man, and that you took God to witness; but ever, you said, the obstacle could never out of your mind*. And, gracious prince, after that you had first seen her at Rochester, I never thought in my heart that ye were or would be contented with that marriage. And sir, I know now in what case I stand, in which is only the mercy of God and your grace; if I have not, to the uttermost of my remembrance, said the truth, and the whole truth in this matter, God never help me. I am sure there is, as I think, no man in this your realm that knew more in this than I did, your highness only excepted. And I am sure, my lord admiral calling to his remembrance, can shew your highness, and be my witness what I said unto him after your grace came from Rochester, yea, and after your grace's marriage: and also now of late, sithence Whitsuntide, and I doubt not but many and divers of my lords of your council, both before your marriage, and sithence, have right-well perceived that your majesty hath not been well pleased with your marriage. And as I shall answer to God, I never thought your grace content, after you had once seen her at Rochester. And this is all that I know, most gracious and most merciful sovereign lord, beseeching Almighty God, who ever hath in all your causes counselled, preserved, opened, maintained, relieved and defended your highness; so he will now vouchsafe to counsel you, preserve you, maintain you, remedy you, relieve and defend you, as may be most to your honour, with prosperity, health, and comfort of your hearts desire. For the which, and for the long life, and prosper-

ous reign of your most royal majesty, I shall, during my life, and whiles I am here, pray to Almighty God, that he of his most abundant goodness will help, aid, and comfort you, after your continuance of Nestor's years: that that most noble imp, the prince's grace, your most dear son, may succeed you to reign long, prosperously, and feliciously to God's pleasure: beseeching most humbly your grace to pardon this my rude writing, and to consider that I a most woful prisoner, ready to take the death, when it shall please God and your majesty; and yet the frail flesh inciteth me continually to call to your grace for mercy and grace for mine offences; and thus Christ save, preserve, and keep you.

Written at the Tower this Wednesday, the last of June, with the heavy heart, and trembling hand, of your highness's most heavy and most miserable prisoner, and poor slave,

Thomas Cromwell.

Most gracious prince, I cry for mercy, mercy, mercy.

XVIII.

*The king's own declaration concerning it. An original,
in his majesty's own hand.*

FIRST I depose and declare, that this hereafter written is meerly the verity intended, upon ^bno sinister affection, nor yet upon none hatred ^cor displeasure, and herein I take God to witness. Now to the matter I say and affirm; that when the first communication was had with me for the marriage of the lady Ann of Cleves, I was glad to hearken to it, trusting to have some assured friend by it; I much doubting that time, both the emperor, France, and the bishop of Rome; and also because I heard so much, both of her excellent beauty and virtuous conditions. But when I saw her at Rochester, the first time that ever I saw her, it re-

Cotton lib.
Otho. C.10.
fol. 241.

^a in his majesty's own hand. om.

^b none

^c nor

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joined my heart that I had kept me free from making any pact or bond before with her till I saw her my self; for then I adsure you I liked her so ill, and so far contrary to that she was praised, that I was woe that ever she came into England; and deliberated with my self, that if it were possible to find means to break off, I would never enter yoke with her. Of which misliking, both the great master, the admiral that now is, and the master of the horses, can and will ^dbere record. Then after my repair to Greenwich, the next day after I think, and doubt not, but that the lord of Essex well examined, can, and will, or hath declared what I then said to him in that case; not doubting, but since he is a person which knoweth himself condemned to dye by act of parliament, will not damn his soul, but truly declare the truth, not only at the time spoken by me, but also continually till the day of marriage; and also many times after, whereby my lack of consent, I doubt not, doth or shall well appear; and also lack enough of the will and power to consummate the same; wherein both he, my physitians, the lord privy seal that now is, Hennage and Denny can, and I doubt not will testifie according to truth, which is, That I never for love to the woman consented to marry; nor yet if she brought maidenhead with her, took any from her by true carnal copulation. This is my brief, true, and perfect declaration.

XIX.

The judgment of the convocation for annulling of the marriage with Ann of Cleve.

Regist.
Cranmer.

TENOR vero literarum testimonialium hujusmodi sequitur, et est talis excellentissimo in Christo principi, &c. Thomas Cantuarien. et Edwardus Eboracen. archiepiscopi, ceteriq; episcopi et reliquus vestri regni Angliæ clerus autoritate literarum commissionalium vestræ majestatis, congregati ac synodum universalem representantes, cum obsequio, reverentia et honore debitis, salutem et felicitatem. Cum nos

^d here

humilimi et majestatis vestræ devotissimi subditi, convocati et congregati sumus virtute commissionis vestræ magno sigillo vestro sigillat. dat. 6 Julii anno foelicissimi regni vestri tricesimo secundo, quam accepimus in hæc quæ sequuntur verba.

Henricus Octavus Dei gratia Angliæ, &c. archiepiscopis Cantuarien. et Eborac. ac cæteris regni nostri Angliæ episcopis, decanis, archidiaconis, et universo clero, salutem. Egerunt apud nos regni nostri proceres et populus, ut cum nuper quædam emergerint, quæ ut illi putant ad nos regniq; nostri successionem pertineant, inter quæ præcipua est, causa et conditio matrimonii quod cum illustri et nobili foemina domina Anna Clevensi propter externam quidem conjugii speciem, perplexum alioqui etiam multis ac variis modis ambiguum videtur; nos ad ejusdem matrimonii disquisitionem ita procedere dignaremur, ut opinionem vestram qui in ecclesia nostra Anglicana scientiam verbi Dei et doctrinam profitemini exquiramus, vobisq; discutendum auctoritatem ita demandemus, ut si animis vestris fuerit persuasum matrimonium cum præfata domina Anna minime consistere aut cohærere debere; nos ad matrimonium contrahend. cum alia liberos esse, vestro, patrum ac reliquæ deinde ecclesiæ suffragio pronuncietur et confirmetur. Nos autem qui vestrum in reliquis ecclesiæ hujus Anglicanæ negotiis gravioribus quæ ecclesiasticam oeconomiam et religionem spectant judicium amplecti solemus, ad veritatis explicandæ testimonium omnino necessarium rati sumus causæ hujusmodi matrimonialis seriem et circumstantias vobis exponi et communicari curare, ut quod vos per Dei leges licere decreveritis, id demum totius ecclesiæ nostræ auctoritate innixi licite facere et exequi audeamus. Vos itaq; convocari et in synodum universalem nostra auctoritate convenire volentes, vobis conjunctim et divisim committimus atq; mandamus ut inspecta hujus negotii veritate, ac solum Deum præ oculis habentes, quod verum, quod justum, quod honestum, quod sanctum est, id nobis de communi concilio scripto annuncio renunciatis et de communi consensu licere definiatis: nempe hoc unum à vobis nostro jure

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postulamus, ut tanquam fida et proba ecclesiae membra causae huic ecclesiasticae, quae maxima est, in iustitia et veritate adesse velitis et eam maturrime juxta commissionem vobis in hac parte factam absolvere et expedire. In cujus rei testimonium has literas nostras fieri fecimus patentes, teste meipso apud Westmon. sexto die Julii, anno regni nostri tricesimo secundo. Nos tenorem et effectum vestrae commissionis per omnia sequentes, postquam matura deliberatione perpendimus et consideravimus omnes matrimonii praetensi inter vestram majestatem illustrissimam et nobilem foeminam dominam Annam Clevensem circumstantias, nobis multis modis expositas, cognitatas et perspectas, tandem ad definitionem et determinationem sequentem, quam communi omnium consensu justorumq; animorum nostrorum iudicio ac recto conscientiae dictamine protulimus, processimus, in hunc modum et (quod tenor vestrae commissionis exigit) vestrae nobilissimae majestati in hoc praesenti scripto referend. duximas, et significamus prout sequitur.

Primum itaq; comperimus et consideravimus matrimonium inter majestatem vestram et nobilem foeminam dominam Annam Clevensem praetensam pracontracto quodam sive sponsaliorum, sive matrimonii, inter dictam dominam Annam et marchionem Lotharingiae concluso ambiguum, plane impeditum et perplexum reddi; animadvertimus enim quod quamvis vestra majestas in prima hujus matrimonii praetensi tractatione pracontractus praedicti, et de quo tum sermo multus habebatur, discussionem et declarationem ante solemnizandum cum dicta domina Anna matrimonium tanta instantia exegerit, ut pro conditione contrahendi deinde matrimonii fuisse merito existimari possit, qua conditione defacta nihil ageretur; atq; haec cum ita se haberent tamen neq; ante solemnizationem illa de pracontractu ambiguitas expedita et declarata est, cum id ipsum tum temporis majestas vestra denuo exposceret et efflagitaret, cui clara jam et expedita esse omnia falso renunciabatur, neq; postea quicquam efficax ut promissum ab oratoribus fuerat, huc transmissum est, quo scrupulus ille ex pracontractu natus eximeretur, tolleretur aut amoveretur, adeo quidem ut pra-

tengum matrimonium inter majestatem vestram et dominam Annam prædictam non modo ex conditionis defectu corruerit, sed si nulla conditio hujusmodi omnino fuisset, certe quidem matrimonium hujusmodi prætersum ex sola præcontractus hujusmodi causa non explicata in suspensio manserit, in eum etiam casum nullius vigoris omnino ac valoris pronunciandum, quo præcontractum illum verbis de præsentis factum fuisse constiterit, id quod multis de causis est verisimilius et merito suspectum haberi potest.

Consideravimus præterea ex his quæ allegata, affirmata et probata nobis fuerunt, quod prætersum matrimonium inter majestatem vestram et dominam Annam prædictam internum, purum, perfectum et integrum consensum non habuit: imo contra quemadmodum inter ipsa tractationis initia, cum de hoc matrimonio ageretur, plurimus illecebrarum fucus adhibitus est, et magnus laudationum acervus supra fidem cumulatus, ut hic perduceretur et obtruderetur ignota, ita solemnizationis actus qui instabat à majestate vestra animo reluctante et dissentiente exortus est, causis maximis et gravissimis urgentibus et prementibus quæ animum invitum et alienum percellere merito possent.

Consideravimus etiam carnalem copulam inter majestatem vestram et prædictam dominam Annam minime secutam esse, nec cum ea justo impedimento intercedente consequi deinde posse. Quæ omnia ex his quas audivimus probationibus, vera et certa esse existimamus. Postremo illud quoque; Consideramus, quod et nobis ab aliis propositum etiam nos verum esse fatemur, agnoscimus et approbamus viz. ut si majestas vestra (modo ne fiat divinæ jussioni præjudicium) in libertate contrahendi matrimonii cum alia esse declaretur, maxime totius regni beneficio id futurum. Cum quidem regni felicitas omnis et conservatio, tum in regia vestra persona ad Dei honorem et divinarum legum executionem conservandam consistit, tum in vitandis etiam sinistris omnibus opinionibus et scandalis quæ de majestatis vestræ progenie post natam nobis ex prætenso matrimonio sobolem suborirentur, si præcontractus ille de quo diximus, et cujus declaratio nulla secuta est, prædictæ dominæ Annæ objice-

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retur. His itaq; de causis et considerationibus aliisq; multis non necessariis quæ exprimantur, cum separatim singulis, tum conjunctim omnibus consideratis et perpensis, nos archiepiscopi et episcopi, cum decanis, archidiaconis, et reliquo hujus regni clero nunc congregato, circumstantias facti ejusq; veritatem ut antedictum est considerantes, tum vero quid ecclesia in hujusmodi casibus et possit facere et sæpenumero antehac fecerit perpenderes, tenore præsentium declaramus et definimus, majestatem vestram prædicto matrimonio prætenso, utpote nullo et invalido, non alligari, sed alio desuper judicio non expectato ecclesiæ suæ autoritate fretam posse arbitrio suo ad contrahend. et consummand. matrimonium cum quavis foemina, divino jure vobiscum contrahere non prohibita, procedere, prætenso illo cum domina Anna prædicta matrimonio non obstante.

Similiter dominam Annam prædictam non obstante matrimonio prætenso cum majestate vestra, quod nullo pacto obstare debere decernimus, posse arbitrio suo cum quavis alia persona divino jure non prohibita matrimonium contrahere. Hæc nos clerum et doctam ecclesiæ Anglicanæ partem representantes, tum vera, justa, honesta, et sancta esse affirmamus, tum eisdem qui perfectissime, integerrime, et efficacissime ad omnem intentionem, propositum et effectum à nobis exigi potest, consentimus et assentimur per præsentem. In quorum omnium et singulorum testimonium hæc scripta manuumstrarum subscriptione, communimus, utriusq; etiam archiepiscopi sigillo apposito. Dat. Westmon. nono die mensis Julii, anno Dom. 1540.

XX.*

Ann of Cleve's letter to her brother.

BROTHER,

Cotton lib.
Otho. C. 10.
fol. 238.

BECAUSE I had rather ye knew the truth by mine advertisement, than for want thereof ye should be deceived by vain reports, I write these present letters unto you, by which ye shall understand, that being advertised how the

[* Most of this letter is burnt.]

nobles and commons of this realm desired the king's highness here to commit the examination of the matter of marriage, between me and his majesty, to the determination of the clergy: I did the more willingly consent thereunto, and since the determination made, have also allowed, approved, and agreed unto the same, wherein I have more respect, as becometh me, to truth and good pleasure, than any worldly affection that might move me to the contrary. I account God pleased with that is done, and know my self to have suffered no wrong or injury; but being my body preserved in the integrity which I brought into this realm, and I truly discharged from all band of consent, I find the king's highness, whom I cannot justly have as my husband, to be nevertheless as a most kind, loving, and friendly father and brother, and to use me as honourably, and with as much humanity and liberality as you, I my self; or any of our kin or ^aallie could wish or desire; wherein I am, for my own part, so well content and satisfied, that I much desire my mother, you, and other mine allies so to understand it, accept, and take it; and so to use your self towards this noble and virtuous prince, as he may have cause to continue his friendship towards you, which on his behalf shall nothing be impaired or altered for this matter; for so hath it pleased his highness to signify unto me, that like as he will shew me always a most fatherly and brotherly kindness, and has so provided for me; so will he remain with you, and other, according to such terms as have passed in the same knot of amity which between you hath been concluded, this matter notwithstanding, in such wise as neither I, ne you, or any of our friends shall have just cause of discontentment. Thus much I have thought necessary to write unto you, lest for want of true knowledge ye might otherwise take this matter than ye ought, and in other sort care for me than ye should have cause. Only I require this of you, that ye so use your self, as for your untowardness in this matter, I fare not the worse; whereunto I trust you will have regard.

• allies

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XXI.

Ex MSS.
D. Stilling-
fleet.

The resolutions of several bishops and divines, of some questions concerning the sacraments; by which it will appear with what maturity and care they proceeded in the reformation, taken from the originals, under their own hands. Only in copying them, I judged it might be more acceptable to the reader to see every man's answer set down after every question; and therefore they are published in this method.

The first question.

What a sacrament is by the scripture?

Answers.

Canter-
bury.

THE scripture sheweth not what a sacrament is, nevertheless where in the Latin text we have *sacramentum*, there in the Greek we have *mysterium*; and so by the scripture, *sacramentum* may be called *mysterium*, *id est, res occulta sive arcana*.

York.

To the first; In scripture we neither find definition nor description of a sacrament.

London.

Without prejudice to the truth, and saving always more better judgment, *Cum facultate etiam melius deliberandi in hac parte*.

To the first question; I think that the scriptures do use this word sacrament, in divers places, according to the matter it treateth upon, Tobie 12. Rev. 1. Wisd. 2. 6, 12. Dan. 2. Eph. 1. 3, 5. Col. 1. 1 Tim. 10. Rev. 17. as also it doth divers other words: yet, what a sacrament is by definition, or description of scripture, I cannot find it explicated openly. Likewise as I cannot find the definition or description of the Trinity, nor yet such like things. Marry, what other men can find, being daily and of long season exercised in scripture, I cannot tell, referring therefore this thing to their better knowledge.

Rochester.

I think that where this word *sacramentum* is found in the scripture in the Latin translation, there in the Greek is

found this word *μυστήριον*, that is to say, a mystery, or a secret thing. BOOK
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What the word sacrament betokeneth, or what is the definition, description, or notification thereof, I have found no such plainly set out by scripture. But this I find, that it should appear by the same scripture, that the Latin word *sacramentum*, and the Greek word *mysterium*, be in manner always used for one thing; as much as to say as, *absconditum, occultatum, vel in occulto*. Carliste.

Thomas Robertson. Ad quæstiones.

Ad primam respondeo, vocem sacramenti, mihi in sacris literis non reperiri in hac significatione, nisi quatenus ad matrimonium applicatur à Paulo, ubi tamen Græce habetur *mysterium*: et proinde ex meris scripturis expresse definiri non posse. Dr. Robertson.

I find not in scripture the definition of a sacrament, nor what a sacrament is. Dr. Cox.

I find no definition in scripture of this word *sacramentum*, howbeit wheresoever it is found in scripture, the same is in the Greek *mysterium*, which signifieth a secret, or hid thing. Dr. Day.

Non habetur in scripturis, quid sacramentum proprie sit, nisi quod subinde *mysterium* dicitur: varia enim, et in scripturis, et in ecclesiasticis scriptoribus reperitur ejus nominis significatio; ideoque definiri non potest. Dr. Oglethorp.

I find no definition of this word sacrament in the scripture; nor likewise of this word *gratia*, or *lex*, with innumerable more; and yet what they signifie, it is known; so the signification of this word sacrament is plain, it is nothing else but a secret hid thing, or any mystery. Dr. Redmayn.

Like as *angelus, cælum, terra*, be spoken of in scripture, yet none of them defined: so altho' *sacramentum* be spoken of in scripture, yet it hath no definition there, but is taken divers ways, and in divers significations. Dr. Edgworth.

This word sacrament in scripture is not defined. Dr. Symmons.

I say this word sacrament, taken in his common signification, betokeneth a mystery, and hid, or a secret thing; but if ye understand it in his proper signification, as we use to apply it only to the seven sacraments, the scripture sheweth Dr. Treham.

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not what a sacrament is. And yet lest any man might be offended, thinking, that because the scripture sheweth not what a sacrament is, therefore the same is a light thing, or little to be esteemed: here may be remembred, that there are some weighty and godly things, being also of our belief, which the scripture sheweth not expresly what they are. As for example; we believe the Son is consubstantial to the Father: *Item*; that the Father is unbegotten, yet the scripture sheweth not what is consubstantial, nor what is unbegotten, neither maketh any mention of the words. Likewise it is true, baptism is a sacrament, pennance is a sacrament, &c. yet the scripture sheweth not what a sacrament is.

Edwardus Leyghton.

Responsions unto the questions.

Dr. Leygh-
ton.

To the first question, I say; That in holy scripture I never found, and I think there is no man that will find a definition or description of this word *sacramentum*; which is as much to say in English, as a mystery, a secret, or a hid thing.

Dr. Coren.

I do read no definition of this word *sacramentum* in scripture; but sometimes it is used in scripture, to signify a thing secret or hid.

Conve-
niunt.

In primo articulo conveniunt omnes, non satis constare ex scriptura, quid sit sacramentum; pleriq; tamen dicunt Græce appellari, *Mysterium*, (i. e.) a secret, or a hid thing.

Agree-
ment.

In the answer unto the first question, they do all agree, that it is not evident by scripture, what a sacrament is, but *mysterium*, that is, a secret, or a hid thing.

2. Question.

What a sacrament is by the ancient authors?

Answers.

Canter-
bury.

THE ancient doctors call a sacrament, *sacrae rei signum*, viz. *visibile verbum, symbolum, atque pactio qua sumus constricti*.

To the second; Of St. Augustine's words, this description following of a sacrament may be gathered; *Sacramentum est invisibilis gratiæ, visibilis forma.* And this thing, that is such visible form or sign of invisible grace in sacraments, we find in scripture, altho' we find not the word sacrament, saving only in the sacrament of matrimony.

To the second; I find in authors this declaration, *Sacramentum est sacre rei signum.* Also, *Invisibilis gratiæ visibilis forma.* Also, *Visibilis forma invisibilis gratiæ imaginem gerens et causa existens.* And of the verity and goodness of this description or declaration, I refer me to the divines, better acquainted with this matter than I am.

I think that this word sacrament, as it is taken of the old authors, hath divers and sundry significations, for sometimes it is extended to all holy signs, sometimes to all mysteries, sometimes to all allegories, &c.

Thomas Waldensis, who writeth a solemn work *de Sacramentis*, causeth me to say, that this word, *sacramentum in communi*, is defined of the ancient authors; who after that he had shewed how that Wycliff, and before him Berengarius hath said, that Augustine defineth *sacramentum* thus: *Sacramentum est sacrum signum*; and *signum* in this wise, *Signum est res præter speciem quam sensibus, ingerit aliquid aliud ex se faciens in cogitationem venire.* He himself, with ancient authors, as he saith, defineth it thus; *Sacramentum est invisibilis gratiæ visibilis forma, vel, Sacramentum est sacre rei signum*: both these descriptions (saith he) be of the ancient fathers.

Sacramentum a vetustioribus, quemadmodum fert Hugo de S. Victore, et Thomas Aquinas, nondum reperiri definitum, nisi quod Augustinus, interdum vocet sacramenta, sacra signa aut signacula, interdum similitudines earum rerum, quarum sunt sacramenta. Et Rabanus, Sacramentum dicitur, quod sub tegumento rerum corporalium, virtus divina secretius salutem eorundem sacramentorum operatur, unde et a secretis virtutibus vel sacris sacramenta dicuntur.

The ancient authors commonly say, That a sacrament is

BOOK III. *sacrae rei signum*, or *sacrosanctum signaculum*; but they do not utterly and properly define what it is.

Dr. Day. The ancient doctors take this word *sacramentum* diversely, and apply it to many things.

Dr. Oglethorp. Ex Augustino et aliis colligitur, Sacramentum posse dici, *sacrae rei signum*, vel, *invisibilis gratiae visibilis forma*, quam hæc posterior definitio non conveniat omnibus sacramentis, scil. tantum septem istis usitatis; sed nec his quoque ex æquo, cum non æqualem conferant gratiam.

Dr. Redmayn. Generally it is taken to signify every secret mystery, and *sacramenta* be called, *sacrarum rerum signa*, or, *sacra signacula*: and as this word sacrament particularly is attributed to the chief sacraments of the church, this definition of a sacrament may be gathered of St. August. *Invisibilis gratiae visibilis forma*. And also that a sacrament is a mystical or secret work which consisteth *ex verbo et elemento*. And Cyprian saith, *Verborum solemnitas et sacri invocatio nominis, et signa institutionibus apostolicis sacerdotum ministeriis attributa, visibile celebrant sacramentum, rem vero ipsam Spiritus Sanctus format et efficit*.

Dr Edgworth. By the ancient authors, *sacramentum* hath many significations, sometimes it is called a secret counsel, Tob. 12. *Sacramentum regis abscondere bonum est*. Nebuchadnezzar's dream was called *sacramentum*, Dan. 2. The mystery of Christ's incarnation, and of our redemption is so called, Ephes. 3. and 1 Tim. 3. so that every secret thing having some privy sense or signification, is called *sacramentum*, generally extending the vocable: notwithstanding in one signification, *sacramentum*, accordeth properly to them that be commonly called the seven sacraments; and hath this definition taken of St. August. and others, *Invisibilis gratiae visibilis forma, ut ipsius imaginem gerat et quodammodo causa existat*.

Dr. Symmons. The ancient authors of divinity use this word sacrament in divers significations, for they call it *mysterium*; and so the scripture useth it in many places, as 1 Tim. 3. Tobie 12. Wisd. 2. Dan. 2. Eph. 1. and 3. The word sacrament is also used for a figure or a sign of the Old Testament, signi-

fyng Christ, as the paschal lamb, and the brasen serpent, and divers other holy signs. It is also taken of the holy authors, to be an holy sign, which maketh to the sanctification of the soul, given of God against sin for our salvation, as it may be gathered of them; for this word sacrament is called by them *sacrum signum*; but I have not read any express definition common to all sacraments.

This word sacrament, in the ancient authors, is oft-times used in this general signification, and so (as it is before said) it is a mystery, or secret thing; and sometimes the same word is used as applicable only unto the seven sacraments; and is thus described, A visible form of an invisible grace; and thus also, a thing by the which, under the covering of visible things, the godly power doth work our health.

To the second I say; that Hugo de Sancto Victore is one of the most ancient authors that I ever could perceive took upon him to define or describe a sacrament: howbeit, I suppose, that this common description which the schoolmen use, after the Master of the Sentences, viz. *Sacramentum est invisibilis gratiæ visibilis seu sensibilis forma*, may be gathered of St. Austin, and divers other ancient authors words, in many places of their works.

I do find no definition plainly set forth in old authors; notwithstanding this definition, *Invisibilis gratiæ visibilis forma*, may be gathered out of St. Augustine.

In secundo articulo conveniunt omnes, sacramentum esse sacræ rei signum. Tresham, Oglethorpus, et Edgworth, dicunt hanc definitionem, Sacramentum est invisibilis gratiæ visibilis forma, his septem convenire. Thurlebeus ait, non convenire omnibus septem, et æque pluribus posse attribui atq; septem.

In the second they put many descriptions of a sacrament, as the sign of a holy thing, a visible word, &c. But upon this one definition, A sacrament is a visible form of invisible grace, they do not all agree: for doctors Edgworth, Tresham, and Oglethorp say, That it is applicable only and properly unto the word sacrament, as it signifieth the seven sacraments usually received. My lord elect of Westmin-

BOOK ster saith, That it agreeth not unto all the seven, nor yet
 III. more specially unto the seven, than unto any other.

3. Question.

How many sacraments there be by the scripture ?

Answers.

Canter-
bury.

THE scripture sheweth not how many sacraments there be, but *incarnatio Christi* and *matrimonium* be called in the scripture *mysteria*, and therefore we may call them by the scripture *sacramenta*. But one *sacramentum* the scripture maketh mention of, which is hard to be revealed fully, as would to God it were, and that is, *mysterium iniquitatis*, or *mysterium meretricis magnæ et bestię*.

York.

To the third ; In scripture we find no precise number of sacraments.

London.

To the third ; I find not set forth the express number, with express declaration of this many and no more ; nor yet of these expresly by scripture which we use, especially under the name of sacraments, saving only of matrimony.

Rochester.

I think that in the scripture be innumerable sacraments, for all mysteries, all ceremonies, all the facts of Christ, the whole story of the Jews, and the revelations of the Apocalypse, may be named sacraments.

Carlisle.

The certain number of sacraments, or mysteries, contained within scripture, cannot be well expressed or assigned ; for scripture containeth more than infallibly may be rehearsed.

Dr. Robert-
son.

De istis septem, quæ usitate vocamus sacramenta, nullum invenio nomine sacramenti appellari, nisi matrimonium. Matrimonium esse sacramentum, probat Eckius, Homi. 73. et conferre gratiam, ibid.

Dr. Cox.

There be divers sacraments by the scripture, as in Tobie 12. *sacramentum regis*, the king's secret. Also Nebuchadnezzar's dream, Dan. 2. is called *sacramentum*. *Incarnatio Christi*, *sacramentum*, Ephes. 3. *matrimonium*, *sacramentum*.

Taking for sacraments any thing that this word *sacramentum* doth signify, there be in scripture a great number of sacraments more than seven. BOOK
III.
Dr. Day.

Non habetur determinatus sacramentorum numerus in scripturis, sunt enim innumera fere illic, quæ passim vocantur sacramenta; cum omnis allegoria, omneque mysterium, dicatur sacramentum. Quin et somnia, ac secreta, subinde sacramenta vocantur. Tobie 2. Sacramentum regis abscondere bonum est; et Dan. 2. Imploremus misericordias Dei coeli super sacramento isto, et somnio. Paulus etiam Epist. 2. vocat mysterium incarnationis Christi sacramentum: et in Apoc. 1. vocat sacramentum septem stellarum. Ad hoc præcipue observandum venit, nullum a septem sacramentis receptis hoc nomine appellari, præter solum matrimonium. Dr. Oglethorp.

As many as there be mysteries, which be innumerable; but by scripture, I think, the seven which be named sacraments may principally bear the name. Dr. Redmayn.

Speaking of sacraments generally, they be innumerable spoken of in scripture; but properly to speak of sacraments, there be but seven that may be so called, of which matrimony is expressly called *sacramentum*, Ephes. 5. and as I think, in the germane and proper signification of a sacrament; so that the indivisible knot of the man and his wife in one body, by the sacrament of matrimony, is the matter of this sacrament; upon which, as on the literal verity the apostle foundeth this allegorical saying, *Ego autem dico in Christo, et in ecclesia*; for the mystical sense pre-supposeth a verity in the letter on which that is taken. Six more there be to which the definition doth agree, as manifestly doth appear by the scriptures, with the exposition of the ancient authors. Dr. Edgworth.

In the scripture there is no certain number of sacraments. Dr. Symmons.

I find no more of the seven, called expressly sacraments, but only matrimony; but extending the name of sacrament in his most general acception, there are in scripture a great number of sacraments, whereof the apostle saith, *Si novērint mysteria omnia, &c.* Dr. Treham.

- BOOK III.** To the third; I say, that I find not in scripture any of these seven which we commonly call sacraments, called *sacramentum*, but only *matrimonium*. But I find divers and many other things called sacraments in scripture, as in the 12. of Tobie, *Sacramentum regis abscondere bonum est. Item, Apoc. 17. Dicamus tibi sacramentum. Item, 1 Tim. 3. Magnum est pietatis sacramentum, &c.*
- Dr. Leygh-ton.** I cannot tell how many sacraments be by scripture, for they be above one hundred.
- Convenient.** *In tertio conveniunt satis: non esse certum numerum sacramentorum per scripturas. Redmaynus addit, But by scripture I think the seven which be named sacraments, may principally bear the name. Idem sentit Edgworth, et septem tantum. Matrimonium in scripturis haberi sub nomine sacramenti pleriq; dicunt.*
- Agreement.** In the third they do agree, that there is no certain number of sacraments by scripture, but even as many as there be mysteries; and none of these seven called sacraments, but only matrimony in scripture.

4. Question.

How many sacraments there be by the ancient authors?

Answers.

- Canterbury.** By the ancient authors there be many sacraments more than seven, for all the figures which signify Christ to come, or testify that he is come, be called sacraments, as all the figures of the old law, and in the new law; *Eucharistia, baptismus, pascha, dies Dominicus, lotio pedum, signum crucis, chrisma, matrimonium, ordo, sabbatum, impositio manuum, oleum, consecratio olei, lac, mel, aqua, vinum, sal, ignis, cinis, adaptatio aurium, vestis candida*, and all the parables of Christ, with the propheties of the Apocalyps, and such others, be called by the doctors *sacramenta*.
- York.** To the fourth; There is no precise number of sacraments mentioned by the ancient authors, taking the word sacrament in his most general signification.

To the fourth ; I find that St. Austine speaketh, *de baptismo, de eucharistia, de matrimonio, de ordinatione clericorum, de sacramento chrismatis et unctionis* : also I find in the said St. Austine, that in the old law there were many sacraments, and in the new law few. BOOK III.
London.

I think that in the doctors be found many more sacraments than seven, viz. *panis catechumenorum, signum crucis, oleum, lac, sal, mel, &c.* Rochester.

That scripture containeth, by the same Holy Ghost which is author thereof, the holy doctors, and ancient fathers expoundeth ; so that where in scripture the number of sacraments is uncertain, it cannot be among them certain. Carlisle.

Apud Augustinum lego sacramentum nuptiarum, sacramentum baptismi, sacramentum eucharistiæ, quod et altaris sive panis vocat ; sacramentum ordinationis ; sacramentum chrismatis, quod datur per manus impositionem baptizatis ; sacramentum unctionis. Dr. Robertson.

I find in the ancient authors, that baptism is called *sacramentum, eucharistia sacramentum, matrimonium sacramentum, ordo sacramentum, chrisma sacramentum, impositio manuum per baptismum sacramentum, dilectio sacramentum, lotio pedum sacramentum, oleum, mel, lac, sacramenta* ; and many others. Dr. Cox.

There be a great sort of sacraments found in the doctors, after the acception above-said, more than seven. Dr. Day.

Apud scriptores ecclesiasticos reperiuntur multo plura sacramenta quam hæc septem. Dr. Oglethorp.

Taking this word sacrament universally for mysteries, or all secret tokens, there be more sacraments than can be reckoned ; but the seven by old authors may specially obtain the name. *Lotio pedum* is spoken of in old authors as a special sacrament used then in the church, and as it appeareth, having a great ground in the scripture ; and I think it were better to renew that again, and so to have eight sacraments, rather than to diminish the number of the seven now used. Dr. Redmayn.

Even like as to the next question before. Dr. Edgworth.

The ancient authors acknowledg many more than seven ; Dr. Symmons.

BOOK III. for they call in their writings all rites and ceremonies sacraments.

Dr. Tresham.

Generally, as many as mysteries, specially seven, and no more of like nature to them; for although I find not express mention where penance is called a sacrament, yet I think it may be deduced and proved by Cyprian in his sermon *de Passione Christi*, in these words; *Deniq; quicumq; fiunt sacramentorum ministri, per operationem auctoritas in figura crucis omnibus sacramentis largitur effectum, et cuncta peragit nobis quod omnibus nominibus eminet a sacramentorum vicariis invocatum; at licet indigni sint qui accipiunt, sacramentorum tamen reverentia et propinquiorum ad Deum parat accessum, et ubi redierint ad cor constat ablutionis donum, et redit effectus munerum, nec alias quæri aut repeti necesse est salutiferum sacramentum;* in these words, *redit effectus munerum;* and *nec alias repeti necesse est salutiferum sacramentum*, must needs be understood penance, and also that penance is a sacrament: for as our first access to God is by the sacrament baptism, which Cyprian there following called *ablutionem primam*; so if we fall by deadly sin, we cannot *repetere* God again, but by penance; which repeating (i. e.) penance, Cyprian calleth *salutiferum sacramentum*.

Dr. Leygh-ton.

To the fourth, I say; That I find in ancients authors every one of these seven, which we call commonly sacraments, called *sacramentum*; as in Austin every one of them is called *sacramentum* but only penance; which Cyprian calleth *sacramentum*. Also I find in the ancients authors divers other things (besides the seven) called sacraments, as *lotio pedum* in Cyprian, &c.

Dr. Coren.

More sacraments be found in old authors than seven.

Convenient.

In quarto conveniunt, plura esse sacramenta quam septem apud authores: Redman addit; But the seven, by old authors, may specially obtain the name. *Idem putat Edgworth, and Tresham. Lotio pedum,* he thinketh were better to be renewed, and so made eight sacraments, than the number of the seven to be diminished. *Treshamus citat Cyprianum in Serm. de Passione Christi pro pœnitentia,*

quod dicatur sacramentum, cum alii fere omnes nusquam. BOOK III.
appellari aiunt sacramentum apud authores, et hic locus
aperte agit de baptismo, quod vocat donum ablutionis, et
sacramentum salutiferum.

In the fourth they agree, That there is no determinate ^{Agreement.} number of sacraments spoken of in the old authors; but that my lord of York, and Edgworth, Tresham, Redmayn, Crayford, and Simmons, say, That those seven by old authors, may specially obtain the name of sacraments. The bishop of St. Davids saith, That there be but four sacraments in the old doctors most chiefly spoken of, and they be baptism, the sacrament of the altar, matrimony and penance.

5. Question.

Whether this word sacrament be and ought to be attributed to the seven only? And whether the seven sacraments be found in any of the old authors?

Answers.

I KNOW no cause why this word sacrament should be attributed to the seven only; for the old authors never pre-^{Canterbury.}scribed any certain number of sacraments, nor in all their books I never read these two words joined together, viz. *septem sacramenta.*

To the fifth; To the first part of this question, this word ^{York.} sacrament is used and applied in scripture to some things that be none of the seven sacraments. To the second part; The seven sacraments be found in some of the ancient authors.

To the fifth, I answer; That this word sacrament in our ^{London.} language commonly hath been attributed to the seven customably called sacraments, not for that yet, that the word sacrament cannot be applied to any more, but for that the seven have been specially of very long and ancient season received, continued and taken for things of such sort.

I think that the name of a sacrament is and may be at-^{Rochester.}

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III.

tributed to more than seven, and that all the seven sacraments be found in the old authors, tho' all peradventure be not found in one author. But I have not read penance called by the name of a sacrament in any of them.

Carlisle.

Certain it is, that this word sacrament neither is nor ought to be attributed to seven only, for both scripture and ancient authors otherwise applieth it; but yet nothing letteth, but that this word sacrament may most especially, and in a certain due preheminance, be applied to the seven sacraments, of most ancient name and usage among Christian men. And that the ancient authors have so used and applied it, affirmeth the said Thomas Walden, convincing Wycliffe and Berengarius, who enforced the contrary; from Cyprian, and also Augustin, with other holy doctors, they may so well be gathered.

Dr. Robertson.

Vocabulum, sacramenti, in sacris literis, nulli sacramentorum quod sciam tribuitur, nisi matrimonio: a vetustis scriptoribus tribuitur ceremoniis et umbris legis, incarnationi Christi, figuris, allegoriis, et festivitibus: apud Paulum legitur divinitatis, voluntatis divinæ, et pietatis sacramentum. Cæterum loquendo de sacramentis his, quæ sunt invisibilis gratiæ collatæ in ecclesia Christi visibilia signa, opinor non plura quam septem inveniri, hisq; magis proprie quam reliquis, sub hac ratione, tribui nomen sacramenti.

Dr. Cox.

This word sacrament is not, nor ought not to be attributed to these seven only. Those that we call seven sacraments, be found in old authors, altho' some of them be seldom found called by this name sacrament.

Dr. Day.

This word, *sacramentum*, neither is nor ought to be so attributed unto these seven, but that it is and may be attributed to many more things, and so the ancients doctors use it. The seven sacraments be found in ancient doctors under the name of sacrament, saving that I remember not that I have read in them penance called a sacrament.

Dr. Oglesby.

Nomen commune est multis aliis rebus, quam septem istis usitatis sacramentis. Septem sacramenta, seorsim et sparsim reperiuntur in veterum monumentis.

Dr. Redmayn.

To the seven specially and principally, and in general to

innumerable more. But I cannot tell whether in any old author might be found these two words, seven sacraments, or this number limited; but every one of the seven sacraments, one by one, be found in the old authors. BOOK
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Sacramentum, in his proper signification, is and ought to be attributed to the seven only; and they be all seven found in the authors. Dr. Edgworth.

This word, sacrament, is not only to be attributed to the seven, but that the seven sacraments especially conferreth grace, the old authors especially accounteth them by the number of seven; and these seven are found in authors and scriptures, altho' they be not found by the name of seven. Dr. Symons.

I say, this word sacrament is attributed to the seven; and that the seven sacraments are found in the ancient authors. Dr. Tresham.

To the fifth I say, first, (as before) that this word *sacramentum*, is not applied or attributed in holy scripture to any of the seven, but only to matrimony. But it is attributed in scripture, and ancient authors, to many other things besides these. Howbeit, taking this word, *sacramentum*, for a sensible sign of the invisible grace of God given unto Christian people, as the schoolmen and many late writers take it; I think that the seven commonly called sacraments, are to be called only and most properly sacraments. Dr. Leygh-ton.

This word sacrament may well be attributed to the seven; and so it is found in old authors, saving that I do not read expresly in old doctors, penance to be under the name of a sacrament, unless it be in Chrysostome, in the exposition *ad Hebræ. homil. 20. sect. 1 cap. 10. in principio.* Dr. Coren.

In quinto præter Herfordens. Roffens. Dayium, Oglethorpum, Menevens. et Coxum, putant omnes nomen sacramenti præcipue his septem convenire. Symons addit, *The seven sacraments specially confer grace*; Eboracens. Curren, Tresham, Symons, aiunt septem sacramenta inveniri apud veteres, quanquam Curren et Symons mox videntur iterum negare. Non con.

In the fifth; The bishops of Hereford and St. Davids, Dissent.

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Dr. Day, Dr. Cox, say, that this word, sacrament, in the old authors, is not attributed unto the seven only, and ought not to be attributed. The bishop of Carlisle alledging Waldensis. Doctors Curren, Edgworth, Symmons, Tresham, say, that it is and may be attributed. And Dr. Curren, and Mr. Symmons, seem to vary against themselves each in their own answers; for Dr. Curren saith, that this word sacrament is attributed unto the seven in the old doctors, and yet he cannot find that it is attributed unto penance. Dr. Symmons saith, that the old authors account them by the number of seven; and yet he saith, that they be not found there by the name of seven.

6. Question.

Whether the determinate number of seven sacraments be a doctrine, either of the scripture, or of the old authors, and so to be taught?

*Answers.*Canter-
bury.

THE determinate number of seven sacraments is no doctrine of the scripture, nor of the old authors.

York.

To the sixth; The scripture maketh no mention of the sacraments determined to seven precisely; but the scripture maketh mention of seven sacraments, which be used in Christ's church, and grounded partly in scripture; and no more be in use of the said church but seven so grounded; and some of the ancient doctors make mention of seven, and of no more than seven, as used in Christ's church so grounded; wherefore a doctrine may be had of seven sacraments precisely used in Christ's church, and grounded in scripture.

London.

To the sixth; I think it be a doctrine set forth by the ancient fathers, one from another, taking their matter and ground out of scripture, as they understood it; tho' scripture, for al that, doth not give unto all the seven the special names by which now they are called, nor yet openly

call them by the name of sacrament, except only (as is before-said) the sacrament of matrimony. BOOK
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Albeit the seven sacraments be in effect found both in the scripture, and in the old authors, and may therefore be so taught; yet I have not read this precise and determinate number of seven sacraments, neither in the scripture, nor in the ancient writers. Rochester.

By what is here before-said, I think it doth well appear, Carlisle. that both the scripture of God, and holy expositors of the same, would have the seven sacraments both taught, and in due form exhibited to all Christian people, as it shall also better appear by what followeth.

In scriptura tantum unum ex istis septem sacramentum vocari invenio, nimirum matrimonium: apud veteres reperuntur omnia hæc septem, a nullo tamen, quod sciam, nomine 7. sacramentorum celebrari, nisi quod Eras. ait 7. a veteribus recenseri: August. loquens de sacramentis ad Januarium ep. 118. ait numerum septenarium tribui ecclesiæ proprie instar universitatis; item objectum fuisse Husso in concilio Constantienti quod infideliter senserit de 7. sacramentis. De perfectione num. septenarii, vide August. lib. 1. de Civ. cap. 31. Dr. Robertson.

This determinate number of seven sacraments is no doctrine of scripture, nor of the old authors, nor ought not to be taught as such a determinate number by scripture and old authors. Dr. Cox.

Neither the scripture, nor the ancient authors, do recite the determinate number of the seven sacraments; but the doctrine of the seven sacraments is grounded in scripture, and taught by the ancient authors, albeit not altogether. Dr. Day.

Septenarius sacramentorum numerus, doctrina est recentium theologorum; quam illi partim ex scriptura, partim ex veterum scriptis, argute in sacrum hunc (ut aiunt) numerum, collegerunt. Dr. Oglethorp.

I think, as I find by old authors, the ancient church used all these seven sacraments; and so I think it good to be taught. Dr. Redmayn.

The determinate number of seven sacraments is not taught in any one process of the scripture, nor of any one Dr. Edgworth.

BOOK III. of the old authors of purpose speaking of them altogether, or in one process, as far as I can remember; albeit they all seven be there, and there spoken of in scripture manifestly, and so have the old authors left them in sundry places of their writings; and so it ought to be taught.

Dr. Symmons.

Forasmuch as the scripture teacheth these seven, and sheweth special graces given by the same, the which are not so given by others, called sacraments, the old authors perceiving the special graces, have accounted them in a certain number, and so have been used by doctors to be called seven, and without inconvenience may so be taught.

Dr. Tresham.

I say, the determinate number of seven is not expressly mentioned in the scripture, like as the determinate number of the seven petitions of the prayer is not expressly mentioned; and as I think the seven petitions to have their ground in scripture, even so do I think of the seven sacraments, to be grounded in scripture.

Dr. Leygh-ton.

To the sixth, I say as before, That the old authors call each of these seven, sacraments; but be it, I cannot remember that ever I read the determinate, precise, and express number of seven sacraments in any of the ancient authors, nor in scripture. Howbeit we may find in scripture, and the old authors, also mention made, and the doctrine of each of these seven, commonly called sacraments.

Dr. Coren.

The determinate number of seven is a doctrine to be taught, for every one of them be contained in scripture, tho' they have not the number of seven set forth there, no more than the petitions of the *Pater Noster* be called seven, nor the Articles of the Creed be called twelve.

Con.

Priori parti quæstionis negative respondent. Herfordens. Menevens. Roffens. Dayus, Dunelmens. Oglethorpus, Thurleby: posteriori parti, quod sit doctrina conveniens respondent affirmative Eboracen. Roffen. Carliolen. Londinen. Dayus, Edgworth, Redmayn, Symmons, Curren: Londinen. et Redmanus non respondent priori parti quæstionis, nec Oglethorpus, Tresham, Robinsonus posteriori. Eboracen. Londin. Symmons, Curren, volunt è scripturis peti doctrinam septem sacramentorum.

In the sixth, touching the determinate number of the seven sacraments, the bishop of Duresme, Hereford, St. Davids, and Rochester, the elect of Westminster, Dr. Day, and Dr. Ogelthorpe say, *This prescribed number of sacraments is not found in the old authors.* The bishop of York, Drs. Curren, Tresham, and Symmons, say the contrary. Concerning the second part, whether it be a doctrine to be taught? the bishops of Hereford, St. Davids, and Dr. Cox, *think it ought not to be so taught as such a determinate number by scripture.* The bishops of York, London, Carlisle; Drs. Day, Curren, Tresham, Symmons, Crayford, *think it a doctrine meet to be taught:* and some of them say, *that it is founded on scripture.*

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III.

Agreement.

7. Question.

What is found in scripture of the matter, nature, effect, and vertue of such as we call the seven sacraments; so as altho' the name be not there, yet whether the thing be in scripture or no, and in what wise spoken of?

Answers.

I FIND not in the scripture, the matter, nature, and effect of all these which we call the seven sacraments, but only of certain of them, as of baptism, in which we be regenerated and pardoned of our sin by the blood of Christ: of *eucharistia*, in which we be concorporated unto Christ, and made lively members of his body, nourished and fed to the everlasting life, if we receive it as we ought to do, and else it is to us rather death than life. Of penance also I find in the scripture, whereby sinners after baptism returning wholly unto God, be accepted again unto God's favour and mercy. But the scripture speaketh not of penance, as we call it a sacrament, consisting in three parts, contrition, confession, and satisfaction; but the scripture taketh penance for a pure conversion of a sinner in heart and mind from his sins unto God, making no mention of private confession of all deadly sins to a priest, nor of ecclesiastical satisfaction to be

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III.

enjoined by him. Of matrimony also I find very much in scripture, and among other things, that it is a mean whereby God doth use the infirmity of our concupiscence to the setting forth of his glory, and encrease of the world, thereby sanctifying the act of carnal commixtion between the man and the wife to that use; yea, altho' one party be an infidel: and in this, matrimony is also a promise of salvation, if the parents bring up their children in the faith, love, and fear of God. Of the matter, nature, and effect of the other three, that is to say, confirmation, order, and extream unction, I read nothing in the scripture, as they be taken for sacraments.

York.

To the seventh; of baptism, we find in scripture the institution by the word of Christ; we find also that the matter of baptism is water, the effect and vertue is remission of sins. Of confirmation, we find that the apostles did confirm those that were baptized, by laying their hands upon them, and that the effect then was the coming of the Holy Ghost into them, upon whom the apostles laid their hands, in a visible sign of the gift of divers languages, and therewith of ghostly strength to confess Christ, following upon the same. Of the sacrament of the altar, we find the institution by Christ, and the matter thereof, bread and wine, the effect, increase of grace. Of the sacrament of penance, we find the institution in the gospel, the effect, reconciliation of the sinner, and the union of him to the mystical body of Christ. Of the sacrament of matrimony, we find the institution both in the Old and New Testament, and the effect thereof, remedy against concupiscence and discharge of sin, which otherwise should be in the office of generation. Of the sacrament of order, we find that our Saviour gave to his apostles power to baptize, to bind and to loose sinners, to remit sins, and to retain them, to teach and preach his word, and to consecrate his most precious body and blood, which be the highest offices of order; and the effect thereof, grace, we find in scripture. Of extream unction, we find in the Epistle of the holy apostle St. James, and of the effects of the same.

To the seventh, I find that St. Austin is of this sentence, **BOOK**
 that *where the sacraments of the old law did promise grace* **III.**
and comfort, the sacraments of the new law do give it in- London.
deed. And moreover he saith, that *the sacraments of the*
new law are, factu facilliora, pauciora, salubriora, et foelici-
ora, more easier, more fewer, more wholsomer, and more
happy.

The scripture teacheth of baptism, the sacrament of the Rochester.
 altar, matrimony and penance manifestly: there be also in
 the scripture manifest examples of confirmation, viz. that
 it was done after baptism by the apostles, *per manuum im-*
positionem. The scripture teacheth also of order, that it
 was done, *per manuum impositionem cum oratione et jejunio.*
 Of the unction of sick men, the Epistle of St. James teach-
 eth manifestly.

I think verily, that of the substance, effect, and vertue Carlisle.
 of these seven usual sacraments, that are to be taken and
 esteemed above others, we have plainly and expresly by
 holy scripture. Of baptism, that whosoever believeth in
 Christ, and is christened, shall be saved; and except that
 one be born again of water and the Holy Ghost, he cannot
 come within the kingdom of God. Of matrimony, we have
 in scripture, both by name, and in effect, in the Old and
 New Testament, both by Christ and his apostle Paul. Of
 the sacrament of the altar, I find plainly, expresly, both in
 the holy gospels, and other places of scripture. Of penance
 in like manner. Of confirmation we have in scripture, that
 when the Samaritans, by the preaching of Philip, had re-
 ceived the word of God, and were christened, the apostles
 hearing of the same, sent Peter and John unto them; who
 when they came thither, they prayed for them that they
 might receive the Holy Ghost: then they laid their hands
 upon them, and so they received the Holy Ghost; *This,*
said Bede, is the office and duty only of bishops. And *this*
manner and form, (saith St. Hierom,) as it is written in
the Acts, the church hath kept, that the bishop should go
abroad to call for the grace of the Holy Ghost, and lay his
hands upon them, who had been christened by priests and

BOOK
III.

deacons. Of the sacrament of orders, we have, that Christ made his apostles the teachers of the law, and ministers of his sacraments, that they should duly do it, and make and ordain others likewise to do it after them. And so the apostles ordained Matthias to be one of their number. St. Paul made and ordained Timothy and Titus, with others likewise. Of the sacrament of extreame unction, we have manifestly in the Gospel of Mark, and Epistle of St. James.

Dr. Robert-
son.

Materia sacramentorum est verbum et elementum, virtus quam Deus per illa digne summentibus conferat gratiam, juxta suam promissionem, nimirum quod sint sacra signacula, non tantum signantia, sed etiam sanctificantia. Unde opinor constare hanc sacramentorum vim esse in sacris literis.

Dr. Cox.

I find in scripture, of such things as we use to call sacraments. First, of baptism manifestly. Of *eucharistia* manifestly. Of penance manifestly. Of matrimony manifestly. Of ordering, *per manus impositionem et orationem* manifestly. It is also manifest, that the apostles laid their hands upon them that were christened. Of the unction of the sick with prayer manifestly.

Dr. Day.

Albeit the seven sacraments be not found in scripture expressed by name, yet the thing it self, that is, the matter, nature, effect and vertue of them is found there. Of baptism in divers places; of the most holy communion; of matrimony; of absolution; of bishops, priests, and deacons, how they were ordained *per manuum impositionem cum oratione*; of laying the apostles hands on them that were christened, which is a part of confirmation; of unction of them that were sick, with prayer joined withal.

Dr. Ogle-
thorp.

Natura, vis, effectus, ac uniuscujusq; sacramenti proprietas, seorsim in scriptura reperitur, ut veteres eam interpretati sunt.

Dr. Red-
mayn.

As it appeareth in the articles which be drawn of the said seven sacraments.

Dr. Edg-
worth.

In scripture we find of the form of the sacraments, as the words sacramental; and the matter, as the element, oil,

chrisim; and the patient receiving the sacrament; and of grace and encrease of vertue given by them, as the effects. BOOK
III.

The things are contained in scripture, as baptism, confirmation, *eucharistia*, *pœnitentia*, *extrema unctio*, *ordo*, altho' they have not there this name *sacramentum*, as matrimony hath; and every one of them hath his matter, nature, effect and vertue. Dr. Sym-
mons.

I think the thing, the matter, the nature, the effect, and vertue of them all be in the scripture, and all there instituted by God's authority; for I think that no one man, neither the whole church, hath power to institute a sacrament, but that such institution pertaineth only to God. Dr. Tresham.

To the seventh, I say, That we may evidently find in scripture the substance of every one of the seven sacraments, the nature, effect, and vertue of the same; as of baptism, confirmation, penance, matrimony, and so forth of the rest. Dr. Leygh-
ton.

Of the matter, nature, vertue, and effect, of such as we call sacraments, scripture maketh mention: of baptism manifestly; of the most holy communion manifestly; of absolution manifestly; of matrimony manifestly; of bishops, priests, and deacons, scripture speaketh manifestly; for they were ordered, *per impositiones manuum presbyterii cum oratione et jejuniis*. Dr. Coren.

Conveniunt præter Menevens. naturam septem sacramentorum nobis tradi in scripturis. Eboracens. effectus singulorum enumerat, item Carliolens. Con.

Londinens. non respondet questioni. Treshamus ait ideo è scripturis tradi nobis sacramenta, quoniam tota ecclesia non habet auctoritatem instituendi sacramenta.

In the seventh they do agree, saving this, That the bishop of St. Davids says, that *the nature, effect, and vertue of these seven sacraments, only baptism, the sacrament of the altar, matrimony, penance, are contained in the scripture.* Agreement. The other say, that *the nature and the vertue of all the seven, be contained in the scripture.*

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8. Question.

Whether confirmation, cum chrismate, of them that be baptized, be found in scripture?

Answers.

Canter-
bury.

OF confirmation with chrism, without which it is counted no sacrament, there is no mention in the scripture.

York.

To the eighth; We find confirmation, *cum impositione manuum* in scripture, as before; *cum chrismate* we find not in the scripture, but yet we find chrismation with oil used even from the time of the apostles, and so taken as a tradition apostolick.

London.

To the eighth; I find in scripture, in many places, *de impositione manuum*, which I think (considering the usage commonly, and so long withal used) to be confirmation; and that with chrism, to supply the visible appearance of the Holy Ghost, which Holy Ghost was so visibly seen in the primitive church; nevertheless for the perfect declaration of the verity hereof, I refer it to the judgment of men of higher knowledge in this faculty.

Rochester.

Altho' confirmation be found in the scripture by example, as I said before, yet there is nothing written *de chrismate*.

Carlisle.

The imposition of hands, the holy doctors take for the same which we call confirmation, done upon them which were christened before, whereof is written in the Acts. And as for *chrisma*, it should seem by Cyprian, both as touching the confection and usage thereof, that it hath a great ground to be derived out of scripture, tho' it be not manifestly therein spoken of.

Dr. Robert-
son.

Res et effectus confirmationis continentur in scriptura, nempe, impositio manuum per apostolos baptizatis, per quam dabatur Spiritus Sanctus. De chrismate nihil illic legimus, quia per id tempus Spiritus Sanctus signo visibili descenderit in baptizatos. Quod ubi fieri desierit, ecclesia chrismate signi externi loco uti cœpit.

Dr. Cox.

I find not in scripture, that the apostles laying their

hands upon them that were baptized, did anoint them **BOOK**
chrismate. **III.**

Confirmation *cum chrismate* I read not in scripture, but **Dr. Day.**
impositionem manuum super baptizatos, I find there is,
which ancient authors call confirmation; and inunction
with *chrisma* hath been used from the primitive church.

De impositione manuum cum oratione, expressa mentio **Dr. Ogle-**
est in scripturis, quæ nunc usitato nomine, a doctoribus **thorp.**
dicatur, confirmatio. Sacrum chrisma, traditio est apostolica,
ut ex veteribus liquet.

The question is not simple, but as if it were asked, Whe- **Dr. Red-**
ther *eucharistia in infermentato* be in the scripture, or *bap-* **mayn.**
tismus cum sale? Imposition of the apostles hands, in which
was conferred the Holy Ghost for confirmation of them who
were baptized, is found in scripture. *Chrisma* is a tradition
deduced from the apostles, as may be gathered by scripture,
and by the old authors, and the mystery thereof is not to
be despised.

This sacrament is one, *unitate integritatis*, as some others **Dr. Edg-**
be: therefore it hath two parts; of which one, that is, *im-* **worth.**
positio manuum, is taken Heb. 6. and Act. 8. The other
part, that is, chrisme, is taken of the tradition of the fathers,
and so used from the primitive church. *Vid. Cyp. Epist.*
lib. 1. ep. 12.

Confirmation is found in scripture, and confirmation *cum* **Dr. Sym-**
chrismate, is gathered from the old authors. **mons.**

I say, confirmation is found in scripture, but this addita- **Dr. Tre-**
ment, *cum chrismate*, is not of the scripture, yet it is a **sham.**
very ancient tradition, as appeareth by *Cyp. de Unct.*
Chrism.

To the eighth question, I say, that confirmation of them **Dr. Leygh-**
that be baptized, is found in scripture, but *cum chrismate* **ton.**
it is not found in scripture, but it was used *cum chrismate*
in the church soon after the apostles time, as it may evi-
dently appear by the cited authors.

The laying of the bishops hands upon them that be **Dr. Coren.**
christened, which is a part of confirmation, is plainly in
scripture; and the unction with chrisme, which is another

BOOK
III.

part, hath been observed from the primitive church, and is called of St. Austin *sacramentum chrismatis*. Unction of the sick with oil, and the prayer, is grounded expressly in scripture.

Con.

Conveniunt omnes confirmationem cum chrismate non haberi in scripturis. Eboracens. Tresham, Coren, Day, Oglethorpe, Edgworth, Leighton, Simmons, Redman, Robinsonus, confirmationem in scripturis esse contendunt; cæterum chrisma esse traditionem apostolicam: addit Robertsonus, et ubi fieri desierat miraculum consecrandi Spiritus Sancti, ecclesia chrismate signi externi loco uti coepit; convenit illi Londinens.

Carliolens. putat usum chrismatis ex scripturis peti posse; putant omnes tum in hoc articulo, tum superiori, impositionem manuum esse confirmationem.

Agreement.

In the eighth they do agree all, except it be the bishop of Carlisle, that *confirmatio cum chrismate* is not found in scripture, but only *confirmatio cum manuum impositione*. And that also my lord of St. Davids denieth to be in scripture, as we call it a sacrament. My lord of Carlisle saith, that *chrisma*, as touching the confection and usage thereof, hath a ground to be derived out of scripture. The other say, that it is but a tradition.

9. Question.

Whether the apostles lacking a higher power, as in not having a Christian king among them, made bishops by that necessity, or by authority given by God?

Answers.

Canterbury.

ALL Christian princes have committed unto them immediately of God the whole cure of all their subjects, as well concerning the administration of God's word, for the cure of souls, as concerning the ministration of things political and civil governance: and in both these ministrations, they must have sundry ministers under them to supply that, which is appointed to their several offices. The civil min-

isters under the king's majesty, in this realm of England, be those whom it shall please his highness for the time to put in authority under him: as for example; the lord chancellor, lord treasurer, lord great master, lord privy-seal, lord admiral, majors, sheriffs, &c. The ministers of God's word, under his majesty, be the bishops, parsons, vicars, and such other priests as be appointed by his highness to that ministration: as for example, the bishop of Canterbury, the bishop of Duresme, the bishop of Winchester, the parson of Winwick, &c. All the said officers and ministers, as well of that sort as the other, be appointed, assigned, and elected, and in every place, by the laws and orders of kings and princes. In the admission of many of these officers, be divers comely ceremonies and solemnities used, which be not of necessity, but only for a good order and seemly fashion; for if such offices and ministrations were committed without such solemnity, they were nevertheless truly committed: and there is no more promise of God, that grace is given in the committing of the ecclesiastical office, than it is in the committing of the civil office. In the apostles time, when there was no Christian princes, by whose authority ministers of God's word might be appointed, nor sins by the sword corrected, there was no remedy then for correction of vice, or appointing of ministers, but only the consent of Christian multitudes among themselves, by an uniform consent, to follow the advice and perswasion of such persons whom God had most endued with the spirit of counsel and wisdom: and at that time, forasmuch as the Christian people had no sword, nor governor amongst them, they were constrained of necessity to take such curats and priests, as either they knew themselves to be meet thereunto, or else as were commended unto them by others that were so replete with the Spirit of God, with such knowledge in the profession of Christ, such wisdom, such conversation and counsel, that they ought even of very conscience to give credit unto them, and to accept such as by them were presented: and so sometimes the apostles and

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others, unto whom God had given abundantly his Spirit, sent or appointed ministers of God's word ; sometimes the people did chuse such as they thought meet thereunto ; and when any were appointed or sent by the apostles or others, the people of their own voluntary will with thanks did accept them ; not for the supremity, empire, or dominion, that the apostles had over them to command, as their princes and masters, but as good people, ready to obey the advice of good counsellors, and to accept any thing that was necessary for their edification and benefit.

York.

To the ninth ; We find in scripture, that the apostles used the power to make bishops, priests, and deacons ; which power may be grounded upon these words: *Sicut misit me vivens Pater, sic ego mitto vos*, &c. And we verily think, that they durst not have used so high power, unless they had had authority from Christ ; but that their power to ordain bishops, priests or deacons, by imposition of hands, requireth any other authority, than authority of God, we neither read in scripture nor out of scripture.

London.

To the ninth ; I think the apostles made bishops by the law of God, because, Acts 22. it is said, *In quo vos Spiritus Sanctus posuit* : nevertheless, I think if Christian princes had been then, they should have named by right, and appointed the said bishops to their rooms and places.

Rochester.

I think that the apostles made bishops by authority given them from God.

Carlisle.

That Christ made his apostles, priests, and bishops, and that he gave them power to make others like, it seemeth to be the very trade of scripture.

Dr. Robert-
son.

Opinor apostolos autoritate divina creasse episcopos et presbyteros, ubi publicus magistratus permittit.

Dr. Cox.

Altho' the apostles had no authority to force any man to be priest, yet (they moved by the Holy Ghost) had authority of God to exhort and induce men to set forth God's honour, and so to make them priests.

Dr. Day.

The apostles made, that is to say, ordained bishops by authority given them by God ; Joh. 20. *Sicut misit me*

vivens Pater, ita et ego mitto vos. Item Joan. ult. et Act. **BOOK**
 20. and 1 Tim. 4. *Paulus ordinavit Timotheum et Titum,* **III.**
et præscribit quales illi debeant ordinare. 1 Tim. 1. Tit. 1.

Apostoli autoritate et mandato Dei, ordinabant ac instituebant episcopos, petita ac obtenta prius facultate a principe ac magistratu (ut opinor) qui tum præerat. Dr. Oglethorp.

Christ gave his apostles authority to make other bishops and ministers in his church, as he had received authority of the Father to make them bishops; but if any Christian prince had then been, the apostles had been, and ought to have been obedient subjects, and would nothing have attempted, but under the permission and assent of their earthly governors: yet was it meet that they which were special and most elect servants of our Saviour Christ, and were sent by him to convert the world; and having most abundantly the Holy Ghost in them, should have special ordering of such ministry as pertained to the planting and encreasing of the faith; whereunto I doubt not, but a Christian prince, of his godly mind, would most lovingly have condescended. And it is to be considered, that in this question, with other like, this word, *making of a bishop, or priest*, may be taken two ways: for understanding the word, to ordain or consecrate, so it is a thing which pertaineth to the apostles and their successors only; but if by this word (making) be understood the appointing, or naming to the office; so, it pertaineth specially to the supream heads and governours of the church, which be princes. Dr. Redmayn.

The apostles made bishops and priests by authority given them of God, and not for lack of any higher power: notwithstanding where there is a Christian king, or prince, the election, deputation and assignation of them, that shall be priests or bishops, belongeth to the king or prince, so that he may forbid any bishop within his kingdom, that he give no orders, for considerations moving him, and may assign him a time when he shall give orders, and to whom: example of king David, 1 Chron. 24. dividing the Levites into 24 orders, deputing over every order one chief bishop, prescribing an ordinal and rule how they should do their du- Dr. Edgworth.

BOOK III. ties, their courses; and what sacrifices, rites and ceremonies, they should use every day, as the day and time required. And his son, king Solomon, diligently executed and commanded the same usages to be observed in the temple, after he had erected and finished it, 2 Chron. 8.

Dr. Symmons. The apostles made bishops and priests, by authority given them of God.

Dr. Tresham. I say, that the apostles had authority of God to make bishops; yet if there had been a Christian king in any place where they made bishops, they would, and ought, to have desired authority also of him, for the executing of such their godly acts, which no Christian king would have denied.

Dr. Leygton. To the ninth, I say, that the apostles (as I suppose) made bishops by authority given unto them of Christ: howbeit I think they would and should have required the Christian princes consent and license thereto, if there had been any Christian kings or princes.

Dr. Coren. The apostles made bishops and priests by authority given them of God: notwithstanding if there had been a Christian king at that time, it had been their duties, to have had his license and permission to do the same.

Con. Omnes conveniunt apostolos divinitus accepisse potestatem creandi episcopos; Eboracens. addit, non opus fuisse alia autoritate apostolis quam divina: sic Thirleby et Edgworth, Redmanus distinguit de institutione presbyteri, ordinationem et consecrationem tribuit tantum apostolis et eorum successoribus, nominationem et electionem magistratibus: sic Londinens. Leightonus, Redman, Tresham, Curren, aiunt petendam fuisse potestatem a magistratu Christiano, si tum fuisset. Robertsonus non respondet questioni, concedit enim datam esse apostolis potestatem creandi episcopos ubi magistratus permittit. Oglethorpus putat eos impetrasse potestatem a principibus: Carliolens. Roffens. Dayus, non respondent ultimæ parti.

Agreem. In the ninth, touching the authority of the apostles in making priests, the bishop of York, the elect of Westminster, Dr. Edgworth, say, that *the apostles made priests by*

their own power, given them by God, and that they had no need of any other power. The bishop of St. Davids saith, BOOK
III.
that because they lacked a Christian prince, by that necessity they ordained other bishops. Dr. Leighton, Curren, Tresham, and Redmayn, suppose, *that they ought to have asked license of their Christian governors, if then there had been any.*

10. Question.

Whether bishops or priests were first? and if the priests were first, then the priest made the bishop.

Answers.

THE bishops and priests were at one time, and were no two things, but both one office in the beginning of Christ's religion. Canter-
bury.

To the tenth; we think that the apostles were priests before they were bishops; and that the divine power which made them priests, made them also bishops; and altho' their ordination was not by all such course as the church now useth, yet that they had both visible and invisible sanctification, we may gather of the gospel, where it is written, *Sicut misit me Pater vivens, et ego mitto vos: et cum hæc dixit, insufflavit in eos et dixit, Accipite Spiritum Sanctum: quorum remis-eritis, &c.* And we may well think, that then they were made bishops, when they had not only a flock, but also shepherds appointed to them to overlook, and a governance committed to them by the Holy Ghost to oversee both; for the name of a bishop is not properly a name of order, but a name of office, signifying an overseer. And altho' the inferior shepherds have also cure to oversee their flock, yet foras-much as the bishops charge is also to oversee the shepherds, the name of overseer is given to the bishops, and not to the other; and as they be in degree higher, so in their consecration we find difference even from the primitive church.

To the tenth; I think the bishops were first, and yet I think it is not of importance, whether the priest then made the bishop, or else the bishop the priest; considering (after

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III.

the sentence of St. Jerome) *that in the beginning of the church there was none (or if it were, very small) difference between a bishop and priest, especially touching the signification.*

Rochester. I find in scripture, that Christ being both a priest and a bishop, ordained his apostles, who were both priests and bishops; and the same apostles did afterwards ordain bishops, and commanded them to ordain others.

Carlisle. Christ made his apostles exorcists, as it appeareth in the 10. Mat. deacons, priests, and bishops, as partly there, and after, in the 20. of St. John, *Quorum remisieritis, &c.* and where he said, *Hoc facite in meam commemorationem.* In the Acts, *Cæterorum nemo audebat se conjungere illis.* So that they were all these together; and so being according to the ordinance of Christ, who had made after them 72 other priests, as it appeareth in the 10th of St. Luke; they made and ordained also others the seven principal deacons, as it is shewed in the 6th of the Acts; where it is said, that they praying laid their hands upon them. In the 13. of the Acts, certain there named at the commandment of the Holy Ghost, severed Saul and Barnabas to that God had taken them, fasting, praying, and laying their hands upon them; the which Saul, Ananias the disciple had baptized, laying his hand upon him, that he might be replenished with the Holy Ghost. And Paul so made, ordained Timothy and Tite, willing them to do likewise as he had done, and appointed to be done from city to city. James was ordained the bishop of Jerusalem, by Peter, John, and James. So that example otherwise we read not.

Dr. Robert-
son.

Incertus sum utri fuere priores, at si apostoli in prima profectione ordinati erant, apparet episcopos fuisse priores, nempe apostolos, nam postea designavit Christus alios septuaginta duos. Nec opinor absurdum esse, ut sacerdos episcopum consecret, si episcopus haberi non potest.

Dr. Cox.

Altho' by scripture (as St. Hierome saith) priests and bishops be one, and therefore the one not before the other: yet bishops, as they be now, were after priests, and therefore made of priests.

The apostles were both bishops and priests, and they **BOOK**
made bishops and priests, as Titus and Timotheus made **III.**
priests. *Episcopatum ejus accipiat alter*, Act. 1. *Presby-* Dr. Day.
teros qui in vobis sunt, obsecro et ego compresbyter, 1 Pet. 5.
And in the beginning of the church, as well that word *epi-*
scopus as *presbyter*, was common and attributed both to
bishops and priests.

Utrique primi a Deo facti, apostoli, episcopi; septuaginta Dr. Ogle-
discipuli (ut conjectura ducor) sacerdotes. Unde verisimile thorp.
est episcopos præcessisse, apostoli enim prius vocati erant.

They be of like beginning, and at the beginning were Dr. Red-
both one, as St. Hierome and other old authors shew by mayn.
the scripture, wherefore one made another indifferently.

Christ our chief-priest and bishop made his apostles Dr. Edg-
priests and bishops all at once; and they did likewise make worth.
others, some priests, and some bishops: and that the priests
in the primitive church made bishops, I think no inconve-
nience; as Jerome saith, in an *Epist. ad Evagrium*. Even
like as souldiers should chuse one among themselves to be
their captain: so did priests chuse one of themselves to be
their bishop, for consideration of his learning, gravity, and
good living, &c. and also for to avoid schisms among them-
selves by them, that some might not draw the people one
way, and others another way, if they lacked one head among
them.

Christ was and is the great high bishop, and made all his Dr. Sym-
apostles bishops; and they made bishops and priests after mons.
him, and so hath it evermore continued hitherto.

I say, Christ made the apostles first priests, and then bi- Dr. Tre-
shops, and they by this authority made both priests and bi- sham.
shops; but where there had been a Christian prince, they
would have desired his authority to the same.

To the tenth.——

The apostles were made of Christ bishops and priests, Dr. Leygh-
both at the first; and after them *septuaginta duo discipuli* ton.
were made priests. Dr. Coren.

Menevens. Thirleby, Redmanus, Coxus, asserunt in initio Con.
eisdem fuisse episcopos et presbyteros. Londinens. Carlio-

BOOK
III.

lens. Symmons, putant apostolos fuisse institutos episcopos a Christo, et eos postea instituisse alios episcopos et presbyteros, et 72 presbyteros postea fuisse ordinatos: sic Oglethorpus, Eboracens. et Tresham aiunt apostolos primo fuisse presbyteros, deinde episcopos, cum aliorum presbyterorum credita esset illis cura. Robertsonus incertus est utri fuere priores, non absurdum tamen esse opinatur, ut sacerdos consecret episcopum, si episcopus haberi non potest. Sic Londinens. Edgworth, Dayus, putant etiam episcopos, ut vulgo de episcopis loquimur, fuisse ante presbyteros. Leightonius nihil respondet.

Agreem.

In the tenth; where it is asked, whether bishops or priests were first? the bishop of St. Davids, my lord elect of Westminster, Dr. Cox, Dr. Redmayn, say, that *at the beginning they were all one*. The bishops of York, London, Rochester, Carlisle; Drs. Day, Tresham, Symmons, Oglethorp, be in other contrary opinions. The bishop of York, and doctor Tresham, think, *that the apostles first were priests, and after were made bishops, when the overseeing of other priests was committed to them*. My lords of Duresme, London, Carlisle, Rochester, Dr. Symmons and Crafford, think, *that the apostles first were bishops, and they after made other bishops and priests*. Dr. Coren and Oglethorpe say, *that the apostles were made bishops, and the 72 were after made priests*. Dr. Day thinks, *that bishops as they be now-a-days called, were before priests*. My lord of London, Drs. Edgworth and Robertson, think *it no inconvenience, if a priest made a bishop in that time*.

11. Question.

Whether a bishop hath authority to make a priest by the scripture, or no? And whether any other but only a bishop may make a priest?

Answers.

Canter-
bury.

A BISHOP may make a priest by the scripture, and so

may princes and governors also, and that by the authority of God committed to them, and the people also by their election; for as we read that bishops have done it, so Christian emperors and princes usually have done it, and the people, before Christian princes were, commonly did elect their bishops and priests. BOOK
III.

To the eleventh; that a bishop may make a priest, may York. be deduced of scripture; for so much as they have all authority necessary for the ordering of Christ's Church, derived from the apostles, who made bishops and priests, and not without authority, as we have said before to the ninth question; and that any other than bishops or priests may make a priest, we neither find in scripture nor out of scripture.

To the eleventh, I think, that a bishop duly appointed London. hath authority, by scripture, to make a bishop, and also a priest: because Christ being a bishop did so make himself; and because alive, his apostles did the like.

The scripture sheweth by example, that a bishop hath Rochester. authority to make a priest; albeit no bishop being subject to a Christian prince, may either give orders to excommunicate, or use any manner of jurisdiction, or any part of his authority, without commission from the king, who is supreme head of that church whereof he is a member; but that any other man may do it besides a bishop, I find no example, either in scripture or in doctors.

By what is said before, it appeareth, that a bishop by Carlisle. scripture may make deacons and priests, and that we have no example otherwise.

Opinor episcopum habere auctoritatem creandi sacerdotem, modo id magistratus publici permissu fiat. An vero ab alio quam episcopo id rite fieri possit, haud scio, quamvis ab alio factum non memini me legisse. Ordin. conferr. gratiam, vid. Eck. Homil. 60. Dr. Robert-
son.

Bishops have authority, as is aforesaid, of the apostles, in Dr. Cox. the tenth question, to make priests, except in cases of great necessity.

Bishops have authority by scripture to ordain bishops Dr. Day.

BOOK III. and priests; Joh. 20. *Hujus rei gratia reliqui te Cretæ ut constituas oppidatim presbyteros*, Tit. 1. Act. 14.

Dr. Oglethorp. *Auctoritas ordinandi presbyteros data est episcopis per verbum, nullisq; aliis quos lego.*

Dr. Redmayn. To the first part, I answer, yea; for so it appeareth Tit. 1. and 1 Tim. 5. with other places of scripture. But whether any other but only a bishop may make a priest, I have not read, but by singular priviledge of God, as when Moses (whom divers authors say was not a priest) made Aaron a priest. Truth it is, that the office of a godly prince is to oversee the church, and the ministers thereof; and to cause them do their duty, and also to appoint them special charges and offices in the church, as may be most for the glory of God, and edifying of the people: and thus we read of the good kings in the Old Testament, David, Joas, Ezekias, Josias. But as for making, that is to say, ordaining and consecrating of priests, I think it specially belongeth to the office of a bishop, as far as can be shewed by scripture, or any example, as I suppose from the beginning.

Dr. Edgworth. A bishop hath authority by scripture to make a priest, and that any other ever made a priest since Christ's time I read not. Albeit Moses, who was not anointed priest, made Aaron priest and bishop, by a special commission or revelation from God, without which he would never so have done.

Dr. Symmons. A bishop placed by the higher powers, and admitted to minister, may make a priest; and I have not read of any other that ever made priests.

Dr. Tresham. I say, a bishop hath authority by scripture to make a priest, and other than a bishop hath not power therein, but only in case of necessity.

Dr. Leygh-ton. To the eleventh; I suppose that a bishop hath authority of God, as his minister, by scripture to make a priest; but he ought not to admit any man to be priest, and consecrate him, or to appoint him unto any ministry in the church, without the princes license and consent, in a Christian region. And that any other man hath authority to make a priest by scripture, I have not read, nor any example thereof.

A bishop being licensed by his prince and supream governor, hath authority to make a priest by the law of God. BOOK
III.
I do not read that any priest hath been ordered by any other Dr. Coren.
than a bishop.

Ad primam partem quæstionis respondent omnes, et con- Con.
venit omnibus præter Menevens. episcopum habere authoritatem instituendi presbyteros. Roffens. Leighton, Curren, Robertsonus, addunt, modo magistratus id permittat. Ad secundam partem respondent Coxus et Tresham in necessitate concedi potestatem ordinandi aliis. Eboracen. videtur omnino denegare aliis hanc authoritatem. Redmayn, Symmons, Robertson, Leighton, Thirleby, Curren, Roffen. Edgworth, Oglethorp, Carlolen. nusquam legerunt alios usos fuisse hac potestate, quanquam (privilegio quodam) data sit Moysi, ut Redmanus arbitratur et Edgworth. Nihil respondent ad secundam partem quæstionis Londinensis et Dayus.

In the eleventh; To the former part of the question, the Agreem.
bishop of St. Davids doth answer, that *bishops have no authority to make priests without they be authorized of the Christian princes*. The others all of them do say, that *they be authorized of God*. Yet some of them, as the bishop of Rochester, Dr. Curren, Leighton, Robertson, add, that *they cannot use this authority without their Christian prince doth permit them*. To the second part the answer of the bishop of St. Davids is, that *laymen have other-whiles made priests*. So doth Dr. Edgworth and Redmayn say, that *Moses, by a priviledg given him of God, made Aaron his brother priest*. Dr. Tresham, Crayford, and Cox say, that *laymen may make priests in time of necessity*. The bishops of York, Duresme, Rochester, Carlisle, elect of Westminster, Dr. Curren, Leighton, Symmons, seem to deny this thing; for they say, *they find not, nor read not any such example*.

BOOK
III.

12. Question.

Whether in the New Testament be required any consecration of a bishop and priest, or only appointing to the office be sufficient?

Answers.

Canter-
bury.

IN the New Testament, he that is appointed to be a bishop, or a priest, needeth not consecration by the scripture, for election or appointing thereto is sufficient.

York.

To the twelfth question; the apostles ordained priests by imposition of the hand, with fasting and prayer; and so following their steps we must needs think, that all the foressaid things be necessarily to be used by their successors: and therefore we do also think, that appointment only without visible consecration and invocation for the assistance and power of the Holy Ghost, is neither convenient nor sufficient; for without the said invocation, it beseemeth no man to appoint to our Lord ministers, as of his own authority; whereof we have example in the Acts of the Apostles; where we find, that when they were gathered to chuse one in the place of Judas, they appointed two of the disciples, and commended the election to our Lord, that he would chuse which of them it pleased him, saying, and praying, *Lord, thou that knowest the hearts of all men, shew whether of these two thou dost chuse to succeed in the place of Judas.* And to this purpose in the Acts we read, *Dixit Spiritus Sanctus, Segregate mihi Barnabam, &c.* And again, *Quos posuit Spiritus Sanctus regere ecclesiam Dei.* And it appeareth also that in the Old Testament, in the ordering of priests, there was both visible and invisible sanctification; and therefore in the New Testament, where the priesthood is above comparison higher than in the Old, we may not think that only appointment sufficeth without sanctification, either visible or invisible.

London.

To the twelfth; I think consecration of a bishop and priest be required, for that in the old law (being yet but a shadow and figure of the new) the consecration was re-

quired, as appears Levit. 8. yet the truth of this I leave to those of higher judgments. BOOK
III.

The scripture speaketh, *de impositione manus et de oratione*: and of other manner of consecrations I find no mention in the New Testament expresly; but the old authors make mention also of inunctions. Rochester.

Upon this text of Paul to Timothy; *Noli negligere gratiam quæ in te est, quæ data est tibi per prophetiam cum impositione manuum presbyterii*; St. Anselm saith, this grace to be the gift of the bishops office, to the which God of his mere goodness had called and preferred him. The prophecy (he saith) was the inspiration of the Holy Ghost, by the which he knew what he had to do therein. The imposition of the hands is that by the which he was ordained and received that office: and therefore (saith St. Paul) God is my witness, that I have discharged my self, showing you as I ought to have done. Now look you well upon it whom that ye take to orders, lest ye lose your self thereby. Let bishops therefore, who (as saith St. Hierome) hath power to make priests, consider well under what law the order of ecclesiastical constitution is bounden; and let them not think those words of the apostle to be his, but rather the words of Christ himself. Carlisle.

Opinor requiri consecrationem quandam, hoc est impositionem manuum, orationem, jejunium, &c. tamen nusquam hoc munere fungi posse, nisi ubi magistratus invitet, jubeat, aut permittat. Dr. Robert-
son.

By scripture there is no consecration of bishops and priests required, but only the appointing to the office of a priest, *cum impositione manuum*. Dr. Cox.

Consecration of bishops and priests I read not in the New Testament, but *ordinatio per manuum impositionem cum oratione* is read there, as in the places above; and the only appointment, as I think, is not sufficient. Dr. Day.

Præter vocationem, ceu designationem externam, quæ vel a principe fiat, vel a populo per electionem et suffragia, requiritur ordinatio alia per manuum impositionem, idque per verbum Dei. Dr. Ogle-
thorp.

BOOK
III.Dr. Red-
mayn.

Besides the appointing to the office, it appeareth that in the primitive church, the apostles used certain consecration of the ministers of the church, by imposition of hands and prayer, Acts 6. and with fasting, Acts 14, &c. The office of priesthood is too dangerous to set upon, when one is but appointed only: therefore for the confirmation of their faith, who take in hand such charge, and for the obtaining of farther grace requisite in the same, consecration was ordained by the Holy Ghost, and hath been always used from the beginning.

Dr. Edg-
worth.

Deputation to the office is not sufficient to make a priest, or a bishop, as appeareth by David and Solomon, who deputed the 24 above mentioned to their offices, yet they made none of them priests, nor any other.

Dr. Sym-
mons.

The appointing to the office *per manuum impositionem* is in scripture, and the consecration of them hath of long time continued in the church.

Dr. Tre-
sham.

There is a certain kind of consecration required, which is imposition of the bishops hands with prayer, and the appointing only is not sufficient.

Dr. Leygh-
ton.

To the twelfth; I suppose that there is a consecration required, as by imposition of hands; for so we be taught by the ensample of the apostles.

Dr. Coren.

In the New Testament is required to the making of a bishop, *impositio manuum cum oratione*, which I take for consecration, and appointment unto the office is not sufficient; for king David, 1 Chron. 24. did appoint 24 to be bishops, who after were consecrated; so that both the appointment and the consecration be requisite.

Con.

Respondent Eboracens. Londinens. Carliolens. Leighton, Tresham, Robertsonus, Edgworth, Curren, Dayus, Oglethorp, consecrationem esse requisitam. Redmanus ait eam receptam esse ab apostolis, atque a Spiritu Sancto institutam ad conferendam gratiam. Dayus, Roffens. Symmons, aiunt sacerdotium conferri per manuum impositionem, idq; e scripturis; consecrationem vero diu receptam in ecclesia: Coxus institutionem cum manuum impositione sufficere, neq; per scripturam requiri consecrationem. Robertsonus addit

supra alios nusquam hoc munere fungi posse quempiam, nisi ubi magistratus invitet, jubeat aut permittat. BOOK
III.

In the twelfth question, where it is asked, Whether in the New Testament be required any consecration of a bishop, or only appointing to the office be sufficient? The bishop of St. David's saith, that *only the appointing*. Dr. Cox, that *only appointing*, cum manuum impositione, is *sufficient without consecration*. The bishops of York, London, Duresm, Carlisle, Drs. Day, Curren, Leighton, Tresham, Edgworth, Oglethorp, say, that *consecration is requisite*. Dr. Redmayn saith, that *consecration hath been received from the apostles time, and institute of the Holy Ghost to confer grace*. My lord of Rochester, Dr. Day, and Symmons, say, that *priesthood is given per manuum impositionem, and that by scripture; and that consecration hath of long time been received in the church*.

13. Question.

Whether (if it fortun'd a Christian prince learned, to conquer certain dominions of infidels, having none but temporal learned men with him) if it be defended by God's law, that he and they should preach and teach the word of God there, or no? And also make and constitute priests, or no?

Answers.

It is not against God's law, but contrary they ought indeed so to do; and there be histories that witnesseth, that some Christian princes, and other laymen un-consecrate have done the same. Canter-
bury.

To the thirteenth; to the first part of this question, touching teaching and preaching the word of God in case of such need; we think that laymen not ordered, not only may, but must preach Christ and his faith to infidels, as they shall see opportunity to do the same, and must endeavour themselves to win the miscreants to the kingdom of God, if that they can; for as the Wise Man saith, *God hath given*

BOOK
III.

charge to every man of his neighbour ; and the scripture of God chargeth every man to do all the good that he can to all men : and surely this is the highest alms to draw men from the Devil the usurper, and bring them to God the very owner. Wherefore in this case every man and woman may be an evangelist, and of this also we have example. But touching the second part, for case of necessity ; as we neither find scripture, nor example, that will bear, that any man, being himself no priest, may make, that is to say, may give the order of priesthood to another, and authority therewith to minister in the said order, and to use such powers and offices, as appertaineth to priesthood grounded in the gospel. So we find in such case of need, what hath been done in one of the ancient writers ; altho' this authority to ordain, after form afore-mentioned, be not to laymen expressly prohibited in scripture ; yet such a prohibition is implied, in that there is no such authority given to them, either in scripture or other-ways ; for so much as no man may use this or any other authority which cometh from the Holy Ghost, unless he hath either commission grounded in scripture, or else authority by tradition, and ancient use of Christ's church universally received over all.

London.

To the thirteenth and fourteenth following ; I think that necessity herein, might either be a sufficient rule and warrant to determine and order such cases, considering that *tempore necessitatis mulier baptizat, et laicus idem facit, et audit confessionem* : or else that God would inspire in the princes heart, to provide the best and most handsome remedy therein : and hard were it peradventure to find such great necessity, but either in the train of the said prince, or in the regions adjoining thereunto, there might be had some priests for the said purposes ; or, finally, that the prince himself, godlily inspired in that behalf, might, for so good purposes and intents, set forth the act indeed, referring yet this thing to the better judgment of others.

Rochester.

To the thirteenth and fourteenth following ; I never read these cases, neither in scripture, nor in the doctors, and therefore I cannot answer unto them by learning, but think

this to be a good answer for all such questions, viz. *Necessitas non habet legem.* BOOK
III.

It is to be thought, that Christ may call, as it pleaseth Carlisle. him, inwardly, outwardly, or by both together: so that if no priest might be had, it cannot be thought, but that a Christian prince, with others learned, inwardly moved and called, might most charitably and godlily prosecute that same their calling in the most acceptable work, which is to bring people from the Devil to God, from infidelity to true faith, by whatsoever means God shall inspire.

In hoc casu existimarem accersendos verbi et sacramen- Dr. Robertson. torum ministros, si qui forent vicini; quin si nulli inveni- rentur, principem illum Christianum haberemus pro apo- stolo, tanquam missum a Deo, licet externo sacramento non esset commendatus, quum Deus sacramentis suis non sit ali- gatus.

To the thirteenth and fourteenth following; it is not Dr. Cox. against God's law, that the prince, and his learned temporal men, may preach and teach, and, in these cases of extream necessity, make and institute ministers.

In this case (as I think) the prince, and other temporal Dr. Day. learned men with him, may, by God's law, teach and preach the word of God, and baptize; and also (the same necessity standing) elect and appoint men to those offices.

In summa necessitate baptizare et prædicare possunt et Dr. Oglethorp. debent, hæc etenim duo necessaria sunt media ad salutem; at ordinare (ut conjectura ducor) non debent, sed aliunde sacrificos accersire, quos si habere nequeant, Deus ipse (cujus negotium agitur,) vel oraculo admonebit, quid facien- dum erit, vel necessitas ipsa (quæ sibi ipsi est lex) modum ordinandi suggeret ac suppeditabit.

I think they might, in such case of necessity; for in this Dr. Redmayn. case the laymen made the whole church there, and the au- thority of preaching and ministring the sacraments, is given immediately to the church; and the church may appoint ministers, as is thought convenient. There be two stories good to be considered for this question, which be written in the 10th book of the History Ecclesiastick; the one of Fru-

BOOK
III.

mentius, who preached in India, and was after made priest and bishop by Athanasius. And the other story is of the king of the Iberians, of whom Ruffine the writer of the story saith thus ; *Et nondum initiatus sacris fit suæ gentis apostolus*. Yet nevertheless it is written there, that *an ambassade was sent to Constantine the emperor, that he would send them priests for the further establishment of the faith there.*

Dr. Edgworth.

The prince and his temporal learned men might and ought, in that necessity, to instruct the people in the faith of Christ, and to baptize them, *ut idem rex sit et suæ gentis apostolus*, and these be sufficient for the salvation of his subjects. But as concerning other sacraments, he ought to abide and look for a special commission from Almighty God, as Moses had, or else to send unto other regions where priests or bishops may be had, and else not to meddle. Examples in *Eccles. Hist.* lib. 10. cap. 1. *de Frumentio*. et cap. 2. *de Ancilla captiva quæ convertit gentem Hiberorum, cujus captivæ monitis ad imperatorem Constantinum totius gentis legatio mittitur, res gesta exponitur, sacerdotes mittere exorantur qui cæptum erga se Dei munus implerent, &c.*

Dr. Symmons.

I think that in such a necessity, a learned Christian prince, and also temporal men learned, be bound to preach and minister either sacraments, so that the same ministers be orderly assigned by the high power, and the congregation.

Dr. Treham.

I say, to the first part, that such a king, and his temporal learned men, not only might, but were also bound to preach God's word in this case. And as to the second part, I say, that if there could no bishop be had to institute, the prince might in that of necessity do it.

Dr. Leygh-ton.

To the thirteenth ; I suppose the affirmative thereof to be true ; *Quamvis potestas clavium residet præcipue in ecclesia.*

Dr. Coren.

In such a case, I do believe that God would illuminate the prince ; so that either he himself should be made a bishop, by internal working of God (as Paul was) or some of his subjects, or else God would send him bishops from other

parts. And as for preaching of the word of God, the prince might do it himself, and other of his learned subjects, altho' they were no priests. BOOK
III.

In prima parte quæstionis conveniunt omnes, etiam laicos, *Con.* tali rerum statu, non solum posse sed debere docere. Menvens. Thirlebeus, Leightonus, Coxus, Symmons, Tresham, Redmanus, Robertsonus, etiam potestatem ministrandi sacramenta, et ordinandi ministros, concedunt illis. Eboracens. hanc prorsus potestatem denegat. Coren credit principem divinitus illuminandum et consecrandum fore in episcopum interne, aut aliquem ex suis, Pauli exemplo. Simile habet Herefordensis et Carliolensis. Dayus nihil respondet de ordinandis presbyteris in hac necessitate.

In the thirteenth; concerning the first part, whether laymen may preach and teach God's word? They do all agree, in such a case, *that not only they may, but they ought to teach.* But in the second part, touching the constituting of priests of laymen, my lord of York, and doctor Edgworth, doth not agree with the other; they say, *that laymen in no wise can make priests, or have such authority.* The bishops of Duresme, St. Davids, Westminster, Drs. Tresham, Cox, Leighton, Crayford, Symmons, Redmayn, Robertson, say, *that laymen in such case have authority to minister the sacraments, and to make priests.* My lords of London, Carlisle, and Hereford, and Dr. Coren, think, *that God in such a case would give the prince authority, call him inwardly, and illuminate him or some of his, as he did St. Paul.*

14. Question.

Whether it be forefended by God's law, that (if it so fortune that all the bishops and priests of a region were dead, and that the word of God should remain there un-preached, and the sacrament of baptism, and others un-ministred) that the king of that region should make bishops and priests to supply the same, or no?

Answers.

It is not forbidden by God's law.

A a 3

Canter-
bury.

BOOK
III.

York.

To the fourteenth; in this case, as we have said in the next article afore, teaching of the word of God may be used by any that can and would use it, to the glory of God; and in this case also the sacrament of baptism may be ministered by those that be no priests; which things altho' we have not of scripture, yet the universal tradition and practice of the church doth teach us: and peradventure contract of matrimony might also be made, the solemnization thereof being only ordained by law positive, and not by any ground, either of scripture, or of tradition; altho' for very urgent causes, the said solemnization is to be observed when it may be observed; but that the princes may not make, that is, may not order priests nor bishops, not before ordered to minister the other sacraments, the ministry whereof in scripture is committed only to the apostles, and from them derived to their successors, even from the primitive church hitherto, and by none other used, we have answered in the thirteenth article.

London.

Ut supra, quæst. 13.——

Rochester.

Ut supra, quæst. 13.——

Carlisle.

Not only it is given of God to supream governors, kings and princes immediate under them, to see, cause, and compel all their subjects, bishops, priests, with all others, to do truly and uprightly their bounden duties to God, and to them, each one according to his calling: but also if it were so, that any-where such lacked to do and fulfil that God would have done, right well they might, by the inward moving and calling of God, supply the same.

Dr. Robertson.

Huic quæstioni idem respondendum, quod priori, arbitror.

Dr. Cox.

Ut supra, quæst. 13.——

Dr. Day.

To this case, as to the first, I answer; that if there could no bishops be had to order new priests there, by the prince's assignation and appointment; then the prince himself might ordain and constitute, with the consent of the congregation, both priests and ministers, to preach and baptize, and to do other functions in the church.

Dr. Oglethorp.

Si ab aliis regionibus sacerdotes haberi non poterint, opi-

nor ipsum principem deputare posse etiam laicos ad hoc sacram officium ; sed omnia prius tentanda essent, ut supra. BOOK
III.

To this, I think, may be answered, as to the last question before ; howbeit the surest way, I think, were to send for some ministers of the church dwelling in the next regions, if they might be conveniently had. Dr. Red-
mayn.

Likewise as to the next question afore.

If the king be also a bishop, as it is possible, he may appoint bishops and priests to minister to his people : but hitherto I have not read that ever any Christian king made bishop or priest. Dr. Edg-
worth.
Dr. Sym-
mons.

I make the same answer as to the 13th question is made. Dr. Tre-
sham.

To the fourteenth ; I suppose the affirmative to be true, in case that there can no bishops nor priests be had forth of other countries, conveniently. Dr. Leygh-
ton.

In this case I make answer as before, that God will never suffer his servants to lack that thing that is necessary ; for there should, either from other parts, priests and bishops be called thither, or else God would call inwardly some of them that be in that region to be bishops and priests. Dr. Coren.

Fatentur, ut prius, omnes, laicos posse docere. Eboracens. Symmons, Oglethorp negant posse ordinare presbyteros, tamen concedit Eboracens. baptizare et contrahere matrimonia, Edgworth tantum baptizare posse ; nam sufficere dicit ad salutem. Alii omnes eandem potestatem concedunt, quam prius. Roffens. non aliud respondet his duabus quæstionibus, quam quod necessitas non habeat legem. Conveni-
unt.

In the fourteenth they agree for the most part as they did before, that *laymen in this case may teach and minister the sacraments*. My lord of York, Dr. Symmons, and Oglethorp say, *they can make no priests, altho' Symmons said they might minister all sacraments, in the question before*. Yet my lord of York, and Edgworth, do grant, that *they may christen*. The bishops of London, Rochester, and Dr. Crayford, say, that *in such a case, Necessitas non habet legem*. Agreement.

BOOK
III.

15. Question.

Whether a man be bound by authority of this scripture, (Quorum remisieritis) and such-like, to confess his secret deadly sins to a priest, if he may have him, or no?

*Answers.*Canter-
bury.

A MAN is not bound, by the authority of this scripture, *Quorum remisieritis*, and such-like, to confess his secret deadly sins to a priest, altho' he may have him.

York.

To the fifteenth; this scripture is indifferent to secret and open sins; nor the authority given in the same is appointed or limited, either to the one, or to the other, but is given commonly to both: and therefore seeing that the sinner is in no other place of scripture discharged of the confession of his secret sins, we think, that this place chargeth him to confess the secret sins, as well as the open.

London.

To the fifteenth; I think that as the sinner is bound by this authority to confess his open sins, so also is he bound to confess his secret sins, because the special end is, to wit, *absolutionem a peccato cuius fecit se servum*, is all one in both cases: and that all sins as touching God are open, and in no wise secret or hid.

Rochester.

I think that confession of secret deadly sins is necessary for to attain absolution of them; but whether every man that hath secretly committed deadly sin is bound by these words to ask absolution of the priest, therefore, it is an hard question, and of much controversy amongst learned men, and I am not able to define betwixt them; but I think it is the surest way, to say, that a man is bound to confess, &c.

Carlisle.

I think that by the mind of most ancient authors, and most holy expositors, this text, *Quorum remisieritis peccata*, &c. with other-like, serveth well to this intent; that Christian folk should confess their secret deadly sins to a priest there to be assoiled, without which mean, there can be none other like assurance.

Dr. Robert-
son.

Opinor obligare, modo aliter conscientiae illius satisfieri nequeat.

I cannot find that a man is bound by scripture to confess his secret deadly sins to a priest, unless he be so troubled in his conscience, that he cannot be quieted without godly instruction. BOOK
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Dr. Cox.

The matter being in controversy among learned men, and very doubtful, yet I think rather the truth is, that by authority of this scripture, *Quorum remisieritis, &c.* and such-like, a man is bound to confess his secret deadly sins, which grieve his conscience, to a priest, if he may conveniently have him. Forasmuch as it is an ordinary way ordained by Christ in the gospel, by absolution to remit sins; which absolution I never read to be given, *sine confessione prævid.* Dr. Day.

Confitenda sunt opinor, etiam peccata abdita ac secreta propter absolutionem ac conscientiae tranquillitatem, et præcipue pro vitanda desperatione, ad quam plerumq; adiguntur multi in extremis, dum sibi ipsis de remissione peccatorum nimium blandiuntur, nullius (dum sani sunt) censuram subeuntes nisi propriam. Dr. Ogle-
thorp.

I think, that altho' in these words confession of privy sins is not expressly commanded; yet it is insinuated and shewed in these words, as a necessary medicine or remedy, which all men that fall into deadly sin ought, for the quieting of their consciences, seek, if they may conveniently have such a priest as is meet to hear their confession. Dr. Red-
mayn.

Where there be two ways to obtain remission of sin, and to recover grace, a man is bound by the law of nature to take the surer way, or else he should seem to contemn his own health, which is unnatural. Also because we be bound to love God above all things, we ought by the same bond to labour for his grace and favour: so that because we be bound to love God, and to love our selves in an order to God, we be bound to seek the best and surest remedy to recover grace for our selves. Contrition is one way; but because a man cannot be well assured, whether his contrition, attrition, or displeasure for his sin be sufficient to satisfy or content Almighty God, and able or worthy to get his grace; therefore it is necessary to take that way that will Dr. Edg-
worth.

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not fail, and by which thou mayest be sure, and that is absolution of the priest, which by Christ's promise will not deceive thee, so that thou put no step or bar in the way; as, if thou do not then actually sin inwardly nor outwardly, but intend to receive that the church intendeth to give thee by that absolution, having the efficacy of Christ's promise, *Quorum remisieritis*, &c. Now the priest can give thee no absolution from that sin that he knoweth not: therefore thou art bound, for the causes aforesaid, to confess thy sin.

Dr. Symmons.

This scripture, as ancient doctors expound it, bindeth all men to confess their secret deadly sins.

Dr. Tresham.

I say, that such confession is a thing most consonant to the law of God, and it is a wise point, and a wholesome thing so far to do, and God provoketh and allureth us thereto, in giving the active power to priests to assoil in the words, *Quorum remisieritis*. It is also a safer way for salvation to confess, if we may have a priest: yet I think that confession is not necessarily deduced of scripture, nor commanded as a necessary precept of scripture, and yet it is much consonant to the law of God, as a thing willed, not commanded.

Dr. Leygh-ton.

To the fifteenth; I think that only such as have not the knowledg of the scripture, whereby they may quiet their consciences, be bound to confess their secret deadly sins unto a priest: howbeit no man ought to contemn such auricular confession, for I suppose it to be a tradition apostolical, necessary for the unlearned multitude.

Dr. Coren.

A man whose conscience is grieved with mortal secret sins, is bound by these words, *Quorum remisieritis*, &c. to confess his sin to a priest, if he may have him conveniently.

Con.

Eboracens. Londinens. Dayus, Oglethorpus, Coren, Redmayn, asserunt obligari. Coxus, Tresham, et Robertsonus dicunt non obligari, si aliter conscientie illorum satisfieri queat; Menevens. nullo modo obligari. Carliolens. et Symmons aiunt, secundum veterum interpretationem, hac scriptura quemvis obligari peccatorem. Roffens. Herefordens. et Thirleby non respondent, sed dubitant. Leightonus

solum indoctos obligari ad confessionem. Edgworth tradit duplicem modum remissionis peccatorum, per contritionem sive attritionem, et per absolutionem: et quia nemo potest certus esse, num attritio et dolor pro peccato sufficiat ad satisfaciendum Deo et obtinendam gratiam, ideo tutissimam viam deligendam, scilicet, absolutionem a sacerdote, quæ per promissionem Christi est certa; absolvere non potest nisi cognoscat peccata; ergo peccata per confessionem sunt illi revelanda.

In the fifteenth; concerning confession of our secret Agreement. deadly sins. The bishops of York, Duresme, London, Drs. Day, Coren, Oglethorp, Redmayn, Crayford, say, that *men be bound to confess them of their secret sins*. Drs. Cox, Tresham, Robertson, say, *they be not bound, if they may quiet their consciences otherwise*. The bishop of St. David's also saith, that *this text bindeth no man*. Dr. Leighton saith, that *it bindeth only such as have not the knowledge of scripture*. The bishop of Carlisle and Symmons say, that *by ancient doctors exposition, men be bound, by this text, to confess their deadly sins*.

16. Question.

Whether a bishop or a priest may excommunicate, and for what crimes? And whether they only may excommunicate by God's law?

Answers.

A BISHOP or a priest by the scripture is neither commanded nor forbidden to excommunicate, but where the laws of any region giveth him authority to excommunicate, there they ought to use the same in such crimes, as the laws have such authority in; and where the laws of the region forbiddeth them, there they have no authority at all; and they that be no priests may also excommunicate, if the law allow thereunto.

To the sixteenth: the power to excommunicate, that is, York. to dis sever the sinner from the communion of all Christian

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people, and so put them out of the unity of the mystical body for the time, *donec resipiscat*, is only given to the apostles, and their successors in the gospel, but for what crimes, altho' in the gospel doth not appear, saving only for disobedience against the commandment of the church, yet we find example of excommunication used by the apostles in other cases: as of the fornicator by Paul, of Hymeneus and Alexander for their blasphemy by the same; and yet of other crimes mentioned in the Epistle of the said Paul writing to the Corinthians. And again of them that were disobedient to his doctrine, 2 Thess. 3. We find also charge given to us, by the apostle St. John, that we shall not commune with them, nor so much as salute him with *Ave*, that would not receive his doctrine. By which it may appear that excommunication may be used for many great crimes, and yet the church at this day doth not use it, but only for manifest disobedience. And this kind of excommunication, whereby man is put out of the church, and dissevered from the unity of Christ's mystical body, which excommunication toucheth also the soul, no man may use, but they only, to whom it is given by Christ.

London.

To the sixteenth; I think that a bishop may excommunicate, taking example of St. Paul with the Corinthian; and also of that he did to Alexander and Hymeneus. And with the lawyers it hath been a thing out of question, that to excommunicate solemnly, appertaineth to a bishop, altho' otherwise, both inferior prelates and other officers, yea and priests too in notorious crimes, after divers mens opinions, may excommunicate semblably, as all others that be appointed governors and rulers over any multitude, or spiritual congregation.

Rochester.

I answer affirmatively to the first part, in open and manifest crimes, meaning of such priests and bishops as be by the church authorized to use that power. To the second part I answer, that it is an hard question, wherein I had rather hear other men speak, than say my own sentence; for I find not in scripture, nor in the old doctors, that any man hath given sentence of excommunication, save only

priests; but yet I think, that it is not against the law of God, that a layman should have authority to do it. BOOK
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Divers texts of scripture seemeth, by the interpretation of ancient authors, to shew, that a bishop or a priest may excommunicate open deadly sinners continuing in obstinacy with contempt. I have read in histories also, that a prince hath done the same. Carlisle.

Opinor episcopum aut presbyterum excommunicare posse, tanquam ministrum et os ecclesiæ, ab eadem mandatum habens. Utrum vero id juris nulli nisi sacerdotibus in mandatis dari possit, non satis scio. Excommunicandum esse opinor pro hujusmodi criminibus, qualia recenset Paulus, 1 Cor. 5. si, is qui frater nominatur, est fornicator, aut avarus, aut idolis serviens, aut maledicus, aut ebriosus, aut rapax, cum hujusmodi ne cibum sumere, &c. Dr. Robertson.

A bishop or a priest, as a publick person appointed to that office, may excommunicate for all publick crimes. And yet it is not against God's law, for others than bishops or priests to excommunicate. Dr. Cox.

A bishop or a priest may excommunicate by God's law for manifest and open crimes: also others appointed by the church, tho' they be no priests, may exercise the power of excommunication. Dr. Day.

Non solum episcopus excommunicare potest, sed etiam tota congregatio, idq; pro lethalibus criminibus ac publicis, è quibus scandalum ecclesiæ provenire potest. Non tamen pro re pecuniaria uti olim solebant. Dr. Oglethorp.

They may excommunicate, as appeareth 1 Cor. 5. 1 Tim. 1. and that for open and great crimes, whereby the church is offended; and for such crimes as the prince and governors determine, and thinketh expedient, men to be excommunicate for, as appeareth in *Novellis Constitutionibus Justiniani*. Whether any other may pronounce the sentence of excommunication, but a bishop or a priest, I am uncertain. Dr. Redmayn.

A bishop, or a priest only, may excommunicate a notorious and grievous sinner, or obstinate person from the communion of Christian people, because it pertaineth to the jurisdiction which is given to priests, Joh. 26. *Quorum remi-* Dr. Edgworth.

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seritis, &c. et quorum retinetis, &c. There is one manner of excommunication spoken of, 1 Cor. 5. which private persons may use. *Si is qui frater nominatur inter vos est fornicator, aut avarus, aut idolis serviens, &c. cum hujusmodi ne cibum quidem capiat.* Excluding filthy persons, covetous persons, brawlers, and quarrellers out of their company, and neither to eat nor drink with them.

Dr. Symmons.

Whosoever hath a place under the higher power, and is assigned by the same to execute his ministry given of God, he may excommunicate for any crime, as it shall be seen to the high power, if the same crime be publick.

Dr. Tresham.

A bishop and priest may excommunicate by scripture: as touching for what crimes? I say, for every open deadly sin and disobedience. And as touching, whether only the priest may excommunicate? I say, not he only, but such as the church authorizes so to do.

Dr. Leygh-ton.

To the sixteenth, I say, that a bishop or a priest having license and authority of the prince of the realm, may excommunicate every obstinate and inobedient person, for every notable and deadly sin. And further, I say, that not only bishops and priests may excommunicate, but any other man appointed by the church, or such as have authority to appoint men to that office, may excommunicate.

Dr. Coren.

A bishop or a priest may excommunicate an obstinate person for publick sins. Forasmuch as the keys be given to the whole church, the whole congregation may excommunicate; which excommunication may be pronounced by such a one as the congregation does appoint, altho' he be neither bishop nor priest.

Con.

Menevens. Herefordens. Thirleby, Dayus, Leightonus, Coxus, Symmons, Coren, concedunt autoritatem excommunicandi etiam laicis, modo a magistratu deputentur. Eboracens. et Edgworth prorsus negant datum laicis, sed apostolis et eorum successoribus tantum. Roffensis, Redmaynus, et Robertsonus ambigunt, num detur laicis. Londinens. non respondet quæstioni: Oglethorpus et Thirleby aiunt, ecclesiæ datam esse potestatem excommunicandi; idem Treshamus.

In the sixteenth, of excommunication, they do not agree. **BOOK III.**
 The bishops of York, Duresme, and Dr. Edgworth say, Agreement.
that laymen have not the authority to excommunicate, but that it was given only unto the apostles and their successors.
 The bishops of Hereford, St. David's, Westminster; doctors Day, Coren, Leighton, Cox, Symmons, say, that *laymen may excommunicate, if they be appointed by the high ruler.* My lord elect of Westminster, Dr. Tresham, and Dr. Oglethorp, say further, that *the power of excommunication was given to the church, and to such as the church shall institute.*

17. Question.

Whether unction of the sick with oil, to remit venial sins, as it is now used, be spoken of in the scripture, or in any ancient authors?

Answers,

UNCTION of the sick with oil, to remit venial sins, as it is **Canter-**
 now used, is not spoken of in the scripture, nor in any **bury.**
 ancient authors.

T. Cantuarien. This is mine opinion and sentence at **These are**
 this present, which I do not temerarily define, but **the sub-**
 do remit the judgment thereof wholly unto your **scriptions**
 majesty. **which are**
at the end
of every
man's pa-
per.

To the seventeenth; of unction of the sick with oil, and **York.**
 that sins thereby be remitted, St. James doth teach us; but
 of the holy prayers, and like ceremonies used in the time of
 the unction, we find no special mention in scripture, albeit
 the said St. James maketh also mention of prayer to be used
 in the ministry of the same. **Edward Ebor.**

To the seventeenth; I think that albeit it appeareth not **London.**
 clearly in scripture, whether the usage in extream unction
 now, be all one with that which was in the beginning of the
 church: yet of the unction in time of sickness, and the
 oil also with prayers and ceremonies, the same is set forth
 in the Epistle of St. James, which place commonly is al-

BOOK III. ledged, and so hath been received, to prove the sacrament of extream unction.

Ita mihi Edmundo Londinensi episcopo pro hoc tempore dicendum videtur, salvo judicio melius sentientis, cui me prompte et humiliter subjicio.

Rochester. Inunction of them that be sick with oil, and praying for them for remission of sins, is plainly spoken of in the Epistle of St. James, but after what form or fashion the said inunction was then used, the scripture telleth not.

Written on the back of the paper,

The Bishop of Rochester's Book.

Carlisle. Extream unction is plainly set out by St. James, with the which maketh also that is written in the 6th of St. Mark, after the mind of right good ancient doctors.

Robert Carliolen.

Dr. Robertson. De unctione infirmorum nihil reperio in scripturis, præter id quod scribitur, Marc. 6. et Jacob. 5.

Thomas Robertson.

T. Cantuarien.

Dr. Cox, Uction of the sick with oil consecrate, as it is now used, is not spoken of in scripture. *Richardus Cox.*

Dr. Day. Uction of the sick with praying for them is found in scripture. *George Day.*

Opiniones non assertiones.

Dr. Oglethorp. De unctione infirmorum cum oleo, adjuncta oratione, expressa mentio est in scripturis, quanquam nunc addantur alii ritus, honestatis gratiâ (ut in aliis sacramentis) de quibus in scripturis nulla mentio. *Owinus Oglethorpus.*

Dr. Redmayn. Uction with oil, adjoined with prayer, and having promise of remission of sins, is spoken of in St. James, and ancient doctors; as for the use which now is, if any thing be amiss, it would be amended. *J. Redmayn.*

Dr. Edgworth. It is spoken of in Mark 6. and James 5. Augustine and other ancient authors speaketh of the same. *Edgworth.*

Dr. Symons. The unction of the sick with oil, to remit sins, is in scripture, and also in ancient authors. *Symon Matthew.*

Dr. Tresham. Uction with oil is grounded in the scripture, and expressly spoken of; but with this additament (as it is now

used) it is not specified in scripture, for the ceremonies now used in unction, I think meer traditions of man.

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William Tresham.

To the seventeenth, I say, that unction of the sick with oil and prayer to remit sins, is manifestly spoken of in St. James's Epistle and ancient authors, but not with all the rites and ceremonies as be now commonly used.

Per me Edvardum Leighton.

T. Cantuarien.

Uction with oil to remit sins is spoken of in scripture. Dr. Coren.

Richard Coren.

Menevens. et Coxus negant unctionem olei (ut jam est recepta) ad remittenda peccata contineri in scripturis. Eboracens. Carloliens. Edgworth, Coren, Redmayn, Symmons, Leightonus, Oglethorp aiunt haberi in scripturis. Roffens. Thirleby, Robertsonus, præterquam illud Jacobi 5. et Marci 6. nihil proferunt. Herefordensis ambigit. Tresham vult unctionem olei tradi nobis è scripturis, sed unctionis cæremomas traditiones esse humanas.

In the last; the bishop of St. David's, and Dr. Cox, say, That *unction of the sick with oil consecrate, as it is now used to remit sin, is not spoken of in scripture.* My lords of York, Duresme, Carlisle, Drs. Coren, Edgworth, Redmayn, Symmons, Leighton, and Oglethorp say, That *it is found in scripture.*

XXII.

Dr. Barnes's renunciation of some articles informed against him.

BE it known to all men, that I Robert Barnes, doctor of divinity, have as well in writing, as in preaching, over-shot my self, and been deceived, by trusting too much to mine own heady sentence, and giving judgment in and touching the articles hereafter ensuing; whereas being convented, and called before the person of my most gracious sovereign lord king Henry the Eighth of England and of France, de-

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ensor of the faith, lord of Ireland, and in earth supreme head, immediately under God of the church of England; it pleased his highness, of his great clemency and goodness, being assisted with sundry of his most discreet and learned clergy, to enter such disputation and argument with me upon the points of my over-sight, as by the same was fully and perfectly confuted by scriptures, and enforced only for truths sake, and for want of defence of scriptures to serve for the maintenance of my part, to yield, confess, and knowledg my ignorance, and with my most humble submission, do promise for ever from henceforth to abstain and beware of such rashness: and for my further declaration therein, not only to abide such order for my doings passed, as his grace shall appoint and assign unto me, but also with my heart to advance and set forth the said articles ensuing, which I knowledg and confess to be most catholick, and Christian, and necessary to be received, observed, and followed of all good Christian people. Tho' it so be, that Christ by the will of his Father, is he only which hath suffered passion and death for redemption of all such as will and shall come unto him, by perfect faith and baptism; and that also he hath taken upon him *gratis* the burden of all their sins, which as afore will, hath, or shall come to him, paying sufficient ransom for all their sins, and so is becomed their only Redeemer and justifier; of the which number I trust and doubt not but that many of us now a days be of: yet I in heart do confess, that after, by the foresaid means we become right Christian folks, yet then by not following our masters commandments and laws, we do lose the benefits and fruition of the same, which in this case is irrecoverable, but by true penance, the only remedy left unto us by our Saviour for the same; wherefore I think it more than convenient and necessary, that whensoever justification shall be preached of, that this deed be joined with all the fore-part, to the intent that it may teach all true Christian people a right knowledg of their justification.

By me *Robert Barnes*.

Also I confess with my heart, that Almighty God is in

no wise author, causer of sin, or any evil; and therefore whereas scripture saith, *Induravit Dominus cor Pharaonis*, &c. and such other texts of like sense, they ought to understand them, *quod Dominus permisit eum indurari*, and not otherwise; which doth accord with many of the ancient interpreters also.

By me *Robert Barnes*.

Further I do confess with my heart, that whensoever I have offended my neighbour, I must first reconcile my self unto him, e're I shall get remission of my sins; and in case he offend me, I must forgive him, e're that I can be forgiven; for this doth the *Pater Noster*, and other places of scripture teach me.

By me *Robert Barnes*.

I do also confess with my heart, that good works limited by scripture, and done by a penitent and true reconciled Christian man, be profitable and allowable unto him, as allowed of God for his benefit, and helping to his salvation.

By me *Robert Barnes*.

Also do confess with my heart, that laws and ordinances made by Christian rulers, ought to be obeyed by the inferiours and subjects, not only for fear, but also for conscience; for whoso breaketh them, breaketh God's commandments.

By me *Robert Barnes*.

All and singular the which articles before written, I the foresaid Robert Barnes do approve and confess to be most true and catholick, and promise with my heart, by God's grace, hereafter to maintain, preach, and set forth the same to the people, to the uttermost of my power, wit, and cunning.

By me *Robert Barnes*.

By me *William Jerome*.

By me *Thomas Gerard*.

XXIII.

The foundation of the bishoprick of Westminster.

REX omnibus ad quos, &c. salutem. Cum nuper cœnobium quoddam sive monasterium, quod (dum extitit) mo-

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nasterium Sancti Petri Westmon. vulgariter vocabatur, omnia et singula ejus maneria, dominia, mesuagia, terræ, tenementa, hæreditamenta, dotationes et possessiones, certis de causis specialibus et urgentibus, per Willielmum ipsius nuper cænobii sive monasterii abbatem, et ejusdem loci conventum, nobis et hæredibus nostris in perpetuum jamdudum data fuerunt et concessa, prout per ipsorum nuper abbatis et conventus cartam sigillo suo communi sive conventuali sigillatam et in cancellar. nostram irrotulat manifeste liquet; quorum pretextu nos de ejusdem nuper cænobii sive monasterii situ, septu et præcinctu, ac de omnibus et singulis prædict. nuper abbatis et conventus maneriis, dominiis et mesuagiis, terris, tenementis, hæreditamentis, dotationibus et possessionibus, ad præsens pleno jure seisisi sumus in dominico nostro, ut de feodo. Nos utiq; sic de eisdem seisisi existen. divinaq; nos clementia inspirante nihil magis ex animo affectantes, quam ut vera religio verusq; Dei cultus inibi non modo aboleatur, sed in integrum potius restituatur, et ad primitivam sive genuinæ sinceritatis normam reformetur, correctis enormitatibus in quas monachorum vita et professio longo temporum lapsu deplorabiliter exorbitaverit, operam dedimus, quatenus humana perspicere potest infirmitas, ut imposterum ibidem sacrorum eloquiorum documenta et nostræ salutiferæ redemptionis sacramenta pure administrentur, bonorum morum disciplina sincere observetur, juvenus in literis liberaliter instituatur, senectus viribus defectis, eorum præsertim qui circa personam nostram, vel alioquin circa regni nostri negotia publice bene et fideliter nobis servierunt, rebus ad victum necessariis condigne foveatur, et deniq; elemosinarum in pauperes Christi elargitiones, viarum pontiumque reparationes, et cætera omnis generis pietatis officia illinc exuberanter in omnia vicina loca longe lateq; dimanent, ad Dei omnipotentis gloriam, et ad subditorum nostrorum communem utilitatem felicitatemque: idcirco nos considerantes quod situs dicti nuper monasterii Sancti Petri Westmon. in quo multa tum percharissimi patris nostri, tum aliorum inclitorum, quondam regum Angliæ, præclara monumenta conduntur, sit locus aptus, conveniens

et necessarius instituendi, erigendi, ordinandi et stabiliendi sedem episcopalem, et quandam ecclesiam cathedralem de uno episcopo, de uno decano presbytero, et duodecim præbendariis presbyteris, ibidem, omnipotenti Deo et in perpetuum servitium, ipsum situm dicti nuper monast. Sancti Petri Westmon. ac locum et ecclesiam ipsius in sedem episcopalem ac in ecclesiam cathedral. creari, erigi, fundari et stabiliri decrevimus, prout per præsentis decernimus, et eandem ecclesiam cathedral. de uno episcopo, de uno decano presbytero, et duodecim præbendariis presbyteris, tenore præsentium, realiter et ad plenum creamus, erigimus, fundamus, ordinamus, facimus, constituimus et stabilimus, perpetuis futuris temporibus duraturam, et sic stabiliri ac in perpetuum inviolabiliter observari volumus et jubemus per præsentis. Volumus itaq; et per præsentis ordinamus quod ecclesia cathedralis prædicta sit, et deinceps in perpetuum erit ecclesia cathedralis et sedes episcopalis, ac quod tota villa nostra Westmon. ex nunc et deinceps in perpetuum sit civitas, ipsamq; civitatem Westm. vocari et nominari volumus et decernimus, ac ipsam civitatem et totum comit. nostrum Midd. prout per metas et limites dignoscitur, et limitatur, tota parochia de Fulham in eodem comit. de Midd. tantummodo except. ab omni jurisdictione, auctoritate et dioc. episcopi London. et successorum suorum pro tempore existen. separamus, dividimus, eximimus, exoneramus, et omnino per præsentis liberamus: ac omnem jurisdictionem episcopalem infra eandem civitatem et comit. Midd. exceptis præ-exceptis, episcopo Westmon. a nobis per has literas nostras patentes nominand. et eligend. et successoribus suis episcopis Westm. ac prædict. episcopat. Westm. adjungimus et unimus, ac ex dictis civitate et com. diocesim facimus et ordinamus per præsentis, illamq; diocesim Westm. in perpetuum similiter vocari, appellari, nuncupari et nominari volumus et ordinamus. Et ut hæc nostra intentio debitum et uberiores sortiatur effectum, Nos de scientia, moribus, probitate et virtute dilecti nostri consiliarii Thomæ Thyrlabei clerici, decani capellæ nostræ plurimum confidentes, eundem Thomam Thyrlaby ad episco-

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patum dictæ sedis Westm. nominamus et eligimus, ac ipsum Thomam episcopum Westm. per præsentem eligimus, nominamus, facimus, et creamus, et volumus; ac per præsentem concedimus et ordinamus, quod idem episcopatus sit corpus corporatum in re et nomine, ipsumq; ex uno corpore declaramus et acceptamus, ordinamus, facimus et constituimus in perpetuum, habeatq; successionem perpetuam, ac quod ipse et successores sui per nomen et sub nomine episcopi Westm. nominabitur et vocabitur, nominabuntur et vocabuntur in perpetuum, et quod ipse et successores sui per idem nomen et sub eo nomine prosequi, clamare et placitare, ac placitari, defendere et defendi, respondere et responderi, in quibuscunq; curiis et locis legum nostrarum, ac hæredum et successorum nostrorum, et alibi, in et super omnibus et singulis causis, actionibus, sectis, brevibus, demand. et querelis, realibus, personalibus et mixtis, tam temporalibus quam spiritualibus, ac in omnibus aliis rebus, causis et materiis quibuscunque, et per idem nomen maneria, dominia, terræ, tenementa, rectorias, pensiones, portiones, et alia quæcunq; hæreditamenta, possessiones, proficua et emolumenta, tam spiritualia sive ecclesiastica, quam temporalia, ac alia quæcunq; per literas patentes præfato episcopo et successoribus suis, per nos seu hæredes nostros debito modo fiend. vel per quamcunq; aliam personam seu quascunq; alias personas secundum leges nostras, et hæredum sive successorum nostrorum dand. seu concedend. capere, recipere, gaudere et perquirere ac dare, alienare et dimittere possit et possint, valeat et valeant, et generaliter omnia alia et singula recipere, gaudere, et facere, prout et eisdem modo et forma quibus cæteri episcopi infra regnum nostrum Angliæ recipere aut facere possint, aut aliquis episcopus infra regnum nostrum Angliæ recipere aut facere possit, et non aliter nec ullo alio modo. Et ulterius volumus et ordinamus, quod ecclesia cathedralis prædicta sit, et deinceps in perpetuum erit ecclesia cathedralis et sedes episcopalis dicti Thomæ et successorum suorum episcoporum Westm. ipsamq; ecclesiam cathedralem honoribus, dignitatibus, et insigniis sedis episcopalis per præsentem decoramus, eandemq; sedem episcopa-

lem præfato Thomæ et successoribus suis episcopis Westm. damus et concedimus per præsentem habend. et gaudend. idem Thomæ et successoribus suis in perpetuum. Ac etiam volumus et ordinamus per præsentem, quod præfatus Thomas et successores sui episcopi Westm. prædict. omnimodam jurisdictionem, potestatem et auctoritatem ordinarias et episcopales, infra ecclesiam cathedralem Westm. et prædict. dioces. exercere, facere, et uti possit, et debeat, possint et debeant, in tam amplis modo et forma, prout episcopus London. infra dioces. London. secundum leges nostras exercere, facere, et uti solet, possit aut debet. Et quod dictus Thomas episcopus Westm. et successores sui episcopi Westm. deinceps in perpetuum habeat sigillum authenticum, seu sigilla authentica pro rebus et negotiis suis agendis servitur, ad omnem juris effectum simili modo et forma, et non aliter nec aliquo alio modo, prout episcopus London. habet aut habere potest. Et ut ecclesia cathedralis prædict. de personis congruis in singulis locis et gradibus suis perimpleatur et coretur, dilectum nobis Willielmum Benson sacræ theologiæ professorem primum et originalem, et modernum decanum dictæ ecclesiæ cathedralis, ac Simonem Haynes sacræ theologiæ professorem primum, et præsent. presbyterum præbendariū, ac Joannem Redmayn secundum presbyterum præbendariū, ac Edvardum Leyghton tertium presbyterum præbendariū, ac Antonium Belasys quartum presbyterum præbendariū, ac Willielmum Britten quintum presbyterum præbendariū, ac Dionysium Dalyon sextum presbyterum præbendariū, ac Humphredum Perkins septimum presbyterum præbendariū, ac Thomam Essex octavum presbyterum præbendariū, ac Thomam Ellforde nonum presbyterum præbendariū, ac Joannem Malvern decimum presbyterum præbendariū, ac Willielmum Harvey undecimum presbyterum præbendariū, ac Gerardum Carleton duodecimum presbyterum præbendariū, tenore præsentium facimus et ordinamus. Per præsentem volumus etiam et ordinamus, ac eisdem decano et præbendariis concedimus per præsentem, quod prædictus decanus et duodecim præbendarii dicti sint de se in re et

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nomine unum corpus incorporatum, habeantq; successionem perpetuam, et se gerent, exhibebunt, et occupabunt sedem, ordinationem, regulas et statuta, eis per nos in quadam indentura in posterum fiend. specificand. et declarand. Et quod idem decanus et præbendarii et successores sui, decanus et capitulum ecclesiæ cathedralis Sancti Petri Westm. in perpetuum vocabuntur, appellabuntur: Et quod præfatus decanus et præbendarii ecclesiæ cathedralis prædictæ et successores sui sint et in perpetuum erunt capitulum episcopatus Westm. sitq; idem capitulum præfat. Thomæ et successoribus suis episcopis Westm. perpetuis futuris temporibus annexum, incorporatum et unitum eisdem modo et forma quibus decanus et capitulum ecclesiæ cathedralis Sancti Pauli in civitate nostra London. episcopo London. aut sedi episcopali London. annexa, incorporata et unit. exist. ipsosq; decanum et præbendarios unum corpus incorporatum in re et nomine facimus, creamus, et stabilimus, et eos pro uno corpore facimus, declaramus, ordinamus et acceptamus, habeantq; successionem perpetuam; et quod ipse decanus et capitulum eorumq; successores per nomen decani et capitulum ecclesiæ cathedralis beati Petri Westm. prosequi, clamare, placitare possint et implacitare, defendere et defendi, respondere et responderi, in quibuscunq; tempore et curiis legum nostrarum et alibi, in et super omnibus et singulis causis, actionibus, sectis, demand. brevibus et querelis, realibus, spiritualibus, personalibus et mixtis, et in omnibus aliis rebus, causis et materiis, prout decanus et capitulum Sancti Pauli London. agere aut facere possunt: et per idem nomen maneria, dominia, terræ, tenementa, et cætera quæcunq; hæreditamenta, possessiones, proficua, et emolumenta tam spiritualia sive ecclesiastica quam temporalia, et alia quæcunq; per nos per literas nostras patentes, hæredum vel successorum nostrorum, seu per aliquam personam vel personas quascunq; eis et successoribus suis vel aliter secundum leges nostras, vel hæredum seu successorum nostrorum dand. seu concedend. capere, recipere, et perquirere, dare, alienare, et dimittere possint et valeant, et generaliter omnia alia et singula capere, recipere, perquirere,

dare, alienare, et dimittere, ac facere et exequi, prout et eisdem modo et forma, quibus decanus et capitulum prædict. cathedralis ecclesiæ Sancti Pauli in prædicta civitate nostra London. capere, recipere, perquirere, dare, alienare, et dimittere, ac facere aut exequi possint, et non aliter, neq; aliquo alio modo: Et quod decanus et capitulum ecclesiæ cathedralis beati Petri Westm. et successores sui in perpetuum habebunt commune sigillum, ad omnimodas cartas, evidantias, et cætera scripta, vel facta sua fiend. eos vel ecclesiam cathedralem prædict. aliquo modo tangen. sive continend. sigilland. Et insuper volumus et per præsentis concedimus et ordinamus, quod prædict. episcopus Westm. et quilibet successorum suorum pro tempore existen. et prædictus decanus et capitulum ecclesiæ cathedralis beati Petri Westm. et quilibet successorum suorum habeant plenam potestatem et facultatem faciendi, recipiendi, dandi, alienandi, dimittendi, exequendi et agendi omnia et singula quæ episcopus London. et decanus et capitulum Sancti Pauli London. conjunctim et divisim facere, recipere, dare, alienare, dimittere, exequi aut agere possint. Volumus etiam et ordinamus, ac per præsentis statuimus, quod archidiaconus Midd. qui nunc est et successores sui sunt deinceps in perpetuum separati et exonerati et prorsus liberati a jurisdictione, potestate, jure et autoritate episcopi London. et successorum suorum, ac ab ecclesia cathedrali Sancti Pauli London. ab omniq; jure, potestate et autoritate ejusdem ipsiusq; archidiaconi, et successores suos per præsentis separamus, exoneramus, penitus in perpetuum liberamus, eundemq; archidiaconum et successores suos decernimus, statuimus, ordinamus, ac stabilimus in simili statu, modo, forma et jure esse, ac deinceps in perpetuum fore, in prædicta ecclesia cathedrali Westm. quibus ipse aut aliquis prædecessorum suorum unquam fuit in ecclesia cathedrali Sancti Pauli London. Statuimus etiam et ordinamus ac per præsentis volumus et concedimus, quod prædictus Thomas episcopus Westm. et successores sui episcopi Westm. habeant, teneant et possideant, in omnibus et per omnia auctoritatem, potestatem, jus et jurisdictionem, de et super

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archidiaconatu Midd. et archidiacono et successoribus suis, tam plene et integre ad omnem effectum quam episcopus London. qui nunc est aut aliquis prædecessorum suorum habet aut habuit, aut habere debuit vel usus fuit. Volumus autem ac per præsentis concedimus tam præfato episcopo quam decano et capitulo, quod habeat et habebit, habeant et habebunt, has literas nostras patentes sub magno sigillo nostro Angliæ debito modo factas et sigillatas, absq; fine seu feod. magno vel parvo nobis in Hanaperio nostro seu alibi ad usum nostrorum, proinde quoquo modo reddend. solvend. vel faciend. eo quod expressa mentio, et cæt. In-cujus rei, &c. Teste rege apud Westm. decimo septimo die Decembris anno regni Henrici Octavi trigesimo secundo.

XXIV.

A proclamation ordained by the king's majesty, with the advice of his honourable council, for the Bible of the largest and greatest volume to be had in every church; devised the sixth of May, the 33 year of the king's most gracious reign.

Regist.
Bonner.
fol. 21.

WHEREBY injunctions heretofore set forth by the authority of the king's royal majesty, supream head of the church of this his realm of England, it was ordained and commanded, amongst other things, that in all and singular parish churches, there should be provided, by a certain day now expired, at the costs of the curats and parishioners, Bibles containing the Old and New Testament in the English tongue, to be fixed and set up openly in every of the said parish churches; the which godly commandment and injunction, was to the only intent that every of the king's majesty's loving subjects, minding to read therein, might, by occasion thereof, not only consider and perceive the great and ineffable omnipotent power, promise, justice, mercy and goodness of Almighty God; but also to learn thereby to observe God's commandments, and to obey their sovereign lord, and high powers, and to exercise godly

charity, and to use themselves according to their vocations, in a pure and sincere Christian life, without murmur or grudging: by the which injunctions, the king's royal majesty intended that his loving subjects should have and use the commodities of the reading of the said Bibles, for the purpose above rehearsed, humbly, meekly, reverently, and obediently, and not that any of them should read the said Bibles with high and loud voices, in time of the celebration of the holy mass, and other divine services used in the church; or that any his lay subjects reading the same, should presume to take upon them any common disputation, argument, or exposition of the mysteries therein contained; but that every such lay-man should, humbly, meekly, and reverently, read the same for his own instruction, edification, and amendment of his life, according to God's holy word therein mentioned. And notwithstanding the king's said most godly and gracious commandment and injunction, in form as is aforesaid, his royal majesty is informed, that divers and many towns and parishes within this his realm, have neglected their duties in the accomplishment thereof, whereof his highness marvelleth not a little; and minding the execution of his said former most godly and gracious injunctions, doth straitly charge and command, that the curats and parishioners, of every town and parish within this his realm of England, not having already Bibles provided within their parish churches, shall on this side the feast of All-Saints next coming, buy and provide Bibles of the largest and greatest volume, and cause the same to be set and fixed in every of the said parish-churches, there to be used as is aforesaid, according to the said former injunctions, upon pain that the curat and inhabitants of the parishes and towns, shall lose and forfeit to the king's majesty, for every month that they shall lack and want the said Bibles, after the same feast of All-Saints, 40s. the one half of the same forfeit to be to the king's majesty, and the other half to him or them which shall first find and present the same to the king's majesties council. And finally, the king's royal majesty doth declare and signify to all and singular his loving

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subjects, that to the intent they may have the said Bibles of the greatest volume, at equal and reasonable prices, his highness, by the advice of his council, hath ordained and taxed, that the sellers thereof shall not take for any of the said Bibles unbound, above the price of ten shillings; and for every of the said Bibles well and sufficiently bound, trimmed and clasped, not above twelve shillings, upon pain the seller to lose, for every Bible sold contrary to his highness's proclamation, four shillings; the one moiety thereof to the king's majesty, and the other moiety to the finder and presenter of the defaulter, as is aforesaid. And his highness straitly chargeth and commandeth, that all and singular ordinaries, having ecclesiastical jurisdiction within this his church and realm of England, and dominion of Wales, that they, and every of them, shall put their effectual endeavours, that the curats and parishioners shall obey and accomplish this his majesty's proclamation and commandment, as they tender the advancement of the king's most gracious and godly purpose in that behalf, and as they will answer to his highness for the same.

God save the KING.

XXV.

An admonition and advertisement given by the bishop of London, to all readers of this Bible in the English tongue.

Register,
Bonner.

To the intent that a good and wholesome thing, godly and vertuously, for honest intents and purposes, set forth for many, be not hindred or maligned at, for the abuse, default, and evil behaviour of a few, who for lack of discretion, and good advisement, commonly without respect of time, or other due circumstances, proceed rashly and unadvisedly therein; and by reason thereof rather hinder than set forward the thing that is good of itself: it shall therefore be very expedient, that whosoever repaireth hither to read this book, or any such like, in any other place, he prepare him-

self chiefly and principally with all devotion, humility, and quietness, to be edified and made the better thereby; adjoining thereto his perfect and most bounden duty of obedience to the king's majesty, our most gracious and dread sovereign lord, and supream head, especially in accomplishing his graces most honourable injunctions and commandments, given and made in that behalf. And right expedient, yea, necessary it shall be also, that leaving behind him vain glory, hypocrisy, and all other carnal and corrupt affections, he bringing with him discretion, honest intent, charity, reverence, and quiet behaviour, to and for the edification of his own soul, without the hindrance, lett, or disturbance of any other his Christian brother; evermore foreseeing that no number of people be specially congregate therefore to make a multitude; and that no exposition be made thereupon otherwise than it is declared in the book it self; and that especially regard be had, no reading thereof be used, allowed, and with noise in the time of any divine service, or sermon; or that in the same be used any disputation, contention, or any other misdemeanour; or finally that any man justly may reckon himself to be offended thereby, or take occasion to grudg or malign thereat.

God save the KING.

XXVI.

Injunctions given by Bonner, bishop of London, to his clergy.

INJUNCTIONS made by the consent and authority of me Regist. Bonner. fol. 38. Edmund Bonner bishop of London, in the year of our Lord God 1542. and in the 34 year of the reign of our sovereign lord, Henry the Eighth, by the grace of God, king of England, France, and Ireland, defender of faith, and supream head here in earth, next under God, of the church of England and Ireland. All which and singular injunctions, by the authority given to me of God, and by our said sovereign lord the king's majesty, I exhort, require,

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and also command, all and singular parsons, vicars, curats, and chauntry-priests, with other of the clergy, whatsoever they be, of my diocess and jurisdiction of London, to observe, keep, and perform, according as it concerneth every of them, in vertue of their obedience, and also upon pains expressed in all such laws, statutes, and ordinances of this realm, as they may incur, and be objected against them, now, or at any time hereafter, for breaking and violating of the same, or any of them.

First; That you, and every of you, shall, with all diligence, and faithful obedience, observe and keep, and cause to be observed and kept, to the uttermost of your powers, all and singular the contents of the king's highness most gracious and godly ordinances and injunctions given and set forth by his graces authority; and that ye, and every of you, for the better performance thereof, shall provide to have a copy of the same in writing, or imprinted, and so to declare them accordingly.

Item; That every parson, vicar, and curat, shall read over and diligently study every day one chapter of the Bible, and that with the gloss ordinary, or some other doctor or expositor, approved and allowed in this church of England, proceeding from chapter to chapter, from the beginning of the Gospel of Matthew, to the end of the New Testament; and the same so diligently studied to keep still and retain in memory, and to come to the rehearsal and recital thereof, at all such time and times as they, or any of them, shall be commanded thereunto by me, or any of my officers or deputies.

Item; That every of you do procure and provide of your own, a book called, *The Institution of a Christian Man*, otherwise called the *Bishops Book*; and that ye, and every of you, do exercise your selves in the same, according to such precepts as hath been given heretofore or hereafter to be given.

Item; That ye being absent from your benefices, in cases lawfully permitted by the laws and statutes of this realm, do suffer no priest to keep your cure, unless he being first by

you presented, and by me or my officers thereunto abled and admitted. And for the more and better assurance and performance thereof to be had, by these presents I warn and monish peremptorily, all and singular beneficed parsons having benefices with cure, within my diocess and jurisdiction, that they and every of them, shall either be personally resident upon their benefices and cures, before the feast of St. Michael the arch-angel now next ensuing; or else present, before the said feast, to me the said bishop, my vicar-general, or other my officers deputed in that behalf, such curats as upon examination made by me, or my said officers, may be found able and sufficient to serve and discharge their cures in their absence; and also at the said feast, or before, shall bring in and exhibit before my said officers their sufficient dispensations authorized by the king's majesty, as well for non-residence, as for keeping of more benefices with cure than one.

Item; That every parson, vicar, and other curats, once in every quarter, shall openly in the pulpit exhort and charge his parishioners, that they in no wise do make any privy or secret contract of matrimony between themselves, but that they utterly defer it until such time as they may conveniently have the father and mother, or some other kinsfolks or friends of the person that shall make such contract of matrimony; or else two or three honest persons to be present, and to hear and record the words and manner of their contract, as they will avoid the extream pains of the law provided in that behalf, if they presumptuously do or attempt the contrary.

Item; That in the avoiding of divers and grievous offences and enormities, and specially the most detestable sin of adultery, which oftentimes hath happen'd by the negligence of curats in marrying persons together which had been married before, and making no due proof of the death of their other husbands and wives at the times of such marriages, I require and command you, and monish peremptorily by these presents, all manner of parsons, vicars, and curats, with other priests, being of my diocess and jurisdiction,

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that they, nor any of them from henceforth, do presume to solemnize matrimony in their churches, chappels, or elsewhere, between any persons that have been married before, unless the said parson, vicar, curat, or priest, be first plainly, fully, and sufficiently informed and certified of the decease of the wife or husband of him or her, or of both, that he shall marry, and that in writing, under the ordinaries seal of the diocess, or place where he or she inhabited or dwelt before, under pain of excommunication, and otherwise to be punished for doing the contrary, according to the laws provided and made in that behalf.

Item ; That ye, and every of you that be parsons, vicars, curats, and also chauntry-priests and stipendiaries, do instruct, teach, and bring up in learning the best ye can, all such children of your parishioners as shall come to you for the same; or at the least, to teach them to read English, taking moderately therefore of their friends that be able to pay, so that thereby they may the better learn and know how to believe, how to pray, how to live to God's pleasure.

Item ; That every curat do at all times his best diligence to stir, move, and reduce such as be at discord, to peace, concord, love, charity, and one to remit and forgive one another, as often and howsoever they shall be grieved or offended: and that the curat shew and give example thereof, when and as often as any variance or discord shall happen to be between him and any of his cure.

Item ; Where some froward persons, partly for malice, hatred, displeasure, and disdain; neglect, contemn, and despise their curats, and such as have the cure and charge of their souls; and partly to hide and cloak their leud and naughty living, as they have used all the year before, use at length to be confessed of other priests which have not the cure of their souls; wherefore I will and require you to declare, and show to your parishioners, that no testimonials brought from any of them, shall stand in any effect; nor that any such persons shall be admitted to God's board, or receive their communion, until they have submitted themselves to be confessed of their own curats, (strangers only

except,) or else upon arduous and urgent causes and considerations, they be otherwise dispensed with in that behalf, either by me, or by my officers aforesaid.

Item ; That whereupon a detestable and abominable practice universally reigning in your parishes, the young people, and other ill-disposed persons doth use upon the Sundays and holy-days, in time of divine service, and preaching the word of God, to resort to ale-houses, and there exerciseth unlawful games, with great swearing, blasphemy, drunkenness, and other enormities, so that good and devout persons be much offended therewith : wherefore I require and command you, to declare to such as keepeth ale-houses, or taverns, within your parishes, that at such times from henceforth, they shall not suffer in their houses any such unlawful and ungodly assemblies ; neither receive such persons to bowling and drinking at such seasons, into their houses, under pain of excommunication, and otherwise to be punished for their so doing, according to the laws in that behalf.

Item ; That all curats shall declare openly in the pulpit, twice every quarter, to their parishioners, the seven deadly sins, and the Ten Commandments, so that the people thereby may not only learn how to obey, honour, and serve God, their prince, superiours, and parents, but also to avoid and eschew sin and vice, and to live vertuously, following God's commandments and his laws.

Item ; That where I am credibly informed, that certain priests of my diocess and jurisdiction, doth use to go in an unseemly and unpriestly habit and apparel, with unlawful tonsures, carrying and having upon them also armour and weapons, contrary to all wholesome and godly laws and ordinances, more like persons of the lay, than of the clergy, which may and doth minister occasion to light persons, and to persons unknown, where such persons come in place, to be more licentious both of their communication, and also of their acts, to the great slander of the clergy : wherefore in the avoiding of such slander and obloquy hereafter, I admonish and command all and singular parsons, vicars, cu-

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rats, and all other priests whatsoever they be, dwelling, or inhabiting, or hereafter shall dwell and inhabit within my diocese and jurisdiction, that from henceforth they, and every of them, do use and wear meet, convenient, and decent apparel, with their trussures accordingly, whereby they may be known at all times from lay-people, and to be of the clergy, as they intend to avoid and eschew the penalty of the laws ordained in that behalf.

Item ; That no parson, vicar, or other beneficed man, having cure within my diocese and jurisdiction, do suffer any priest to say mass, or to have any service within their cure, unless they first give knowledg, and present them with the letters of their orders to me as ordinary, or to my officers deputed in that behalf; and the said priest so presented, shall be by me, or my said officers, found able and sufficient thereunto.

Item ; That every curat, not only in his preachings, open sermons, and collations made to the people, but also at all other times necessary, do perswade, exhort, and monish the people, being of his cure, whatsoever they be, to beware and abstain from swearing and blaspheming of the holy name of God, or any part of Christ's most precious body or blood. And likewise to beware, and abstain from cursing, banning, chiding, scolding, backbiting, slandering, and lying. And also from talking and jangling in the church, especially in time of divine service or sermon-time. And semblably to abstain from adultery, fornication, gluttony, and drunkenness: and if they, or any, of them, be found notoriously faulty or infamed upon any of the said crimes and offences, then to detect them at every visitation, or sooner, as the case shall require, so that the said offenders may be corrected and reformed to the example of others.

Item ; That no priest from henceforth do use any unlawful games, or frequently use any ale-houses, taverns, or any suspect place at any unlawful times, or any light company, but only for their necessities, as they, and any of them, will avoid the danger that may ensue thereupon.

Item ; That in the plague-time, no dead bodies or corpes

be brought into the church, except it be brought straight to the grave, and immediately buried, whereby the people may the rather avoid infection.

Item ; That no parsons, vicars, ne curates, permit or suffer any manner of common plays, games, or interludes, to be played, set forth, or declared, within their churches, or chappels, where the blessed sacrament of the altar is, or any other sacrament ministred, or divine service said or sung: because they be places constitute and ordained to well disposed people for godly prayer, and wholsom consolation. And if there be any of your parishioners, or any other person or persons, that will obstinately or violently inforce any such plays, interludes, or games to be declared, set forth or played in your churches, or chappels, contrary to this our forbidding and commandment, that then you, or either of you, in whose churches or chappels any such games, plays, or interludes, shall be so used, shall immediately thereupon make relation of the name of the person, or persons, so obstinately and disobediently using themselves, unto me, my chancellor, or other my officers, to the intent that they may be therefore reformed and punished according to the laws.

Item ; That all priests shall take this order when they preach ; first, they shall not rehearse no sermons made by other men within this 200 or 300 years ; but when they shall preach, they shall take the Gospel, or Epistle of the day, which they shall recite and declare to the people plainly, distinctly, and sincerely, from the beginning to the end thereof, and then to desire the people to pray with them for grace, after the usage of the church of England now used : and that done, we will that every preacher shall declare the same Gospel, or Epistle, or both, even from the beginning, not after his own mind, but after the mind of some catholick doctors allowed in this church of England, and in no wise to affirm any thing, but that which he shall be ready always to shew in some ancient writer ; and in no wise to make rehearsal of any opinion not allowed, for the intent to reprove the same, but to leave that for those that are and shall be admitted to preach by the king's majesty, or by me, the bi-

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shop of London, your ordinary, or by mine authority. In the which Epistle and Gospel, ye shall note and consider diligently, certain godly and devout places, which may incense and stir the hearers to obedience of good works and prayers : and in case any notable ceremony used to be observed in the church, shall happen that day when any preaching shall be appointed, it shall be meet and convenient that the preacher declare and set forth to the people the true meaning of the same, in such sort that the people may perceive thereby, what is meant and signified by such ceremony, and also know how to use and accept it to their own edifying. Furthermore, that no preacher shall rage or rail in his sermon, but coldly, discreetly, and charitably, open, declare, and set forth the excellency of vertue, and to suppress the abomination of sin and vice ; every preacher shall, if time and occasion will serve, instruct and teach his audience, what prayer is used in the church that day, and for what thing the church prayeth, specially that day, to the intent that all the people may pray together with one heart for the same ; and as occasion will serve, to shew and declare to the people what the sacraments signifieth, what strength and efficacy they be of, how every man should use them reverently and devoutly at the receiving them. And to declare wherefore the mass is so highly to be esteemed and honoured, with all the circumstances appertaining to the same. Let every preacher beware that he do not feed his audience with any fable, or other histories, other than he can avouch and justify to be written by some allowed writer. And when he hath done all that he will say and utter for that time, he shall then in few words recite again, the pith and effect of his whole sermon, and add thereunto as he shall think good.

Item ; That no parson, vicar, curat, or other priest, having cure of souls within my diocess and jurisdiction, shall from henceforth permit, suffer, or admit any manner of person, of whatsoever estate or condition he be, under the degree of a bishop, to preach, or make any sermon or collation openly to the people within their churches, chappels,

or elsewhere within their cures, unless he that shall so preach have obtained before special licence in that behalf, of our sovereign lord the king, or of me Edmund, bishop of London, your ordinary; and the same licence so obtained, shall then and there really bring forth in writing under seal, and shew the same to the said parson, vicar, curat, or priest, before the beginning of his sermon, as they will avoid the extream penalties of the laws, statutes, and ordinances, provided and established in that behalf, if they presumptuously do attempt any thing to the contrary.

Item; I desire, require, exhort, and command you, and every of you, in the name of God, that ye firmly, faithfully, and diligently, to the uttermost of your powers, do observe, fulfil, and keep all and singular these mine injunctions. And that ye, and every of you, being priests, and having cure, or not cure, as well benefice as not beneficed, within my diocess and jurisdiction, do procure to have a copy of the same injunctions, to the intent ye may the better observe, and cause to be observed the contents thereof.

** The names of books prohibited, delivered to the curates, anno 1542. to the intent that they shall present them with the names of the owners, to their ordinary, if they find any such within their parishes.*

The Disputation between the Father and the Son.

The Supplication of Beggars; the author Fish.

The Revelation of Antichrist.

The Practice of Prelates; written by Tindall.

The Burying of the Mass, in English Rithme.

The Book of Friar Barnes, twice printed.

The Matrimony of Tindall.

The Exposition of Tindall, upon the 7th. chap. to the Corinth.

** There is, in a manuscript in the Lambeth library, a list of prohibited books not corresponding with the above; which therefore is given in the additional Appendix to the whole of this work.*

BOOK III. The Exposition of Tindall, upon the Epistles Canonick of St. John.

The New Testament of Tindall's Translation, with his Preface before the whole Book, and before the Epistles of St. Paul *ad Rom.*

The Preface made in the English Prymmers, by Marshall. The Church of John Rastall.

The Table, Glosses, Marginal, and Preface before the Epistle of St. Paul Roman, of Thomas Matthews doing, and printed beyond the sea without priviledg, set in his Bible in English.

The *A. B. C.* against the Clergy.

The Book made by Frier Roys against the Seven Sacraments.

The wicked Mammon.

The Parable of the wicked Mammon.

The Liberty of a Christian Man.

Ortulus Animar. in English.

The Supper of the Lord, by G. Joye.

Frith's Disputation against Purgatory.

Tindall's Answer to sir T. More's Defence of Purgatory.

The Prologue to Genesis, translated by Tindall.

The Prologues to the other four Books of Moses.

The Obedience of a Christian Man.

The Book made by sir J. Oldcastle.

The Sume of Scripture.

The Preface before the Psalter in English.

The Dialogue between the Gentleman and Ploughman.

The Book of Jonas in English.

The Dialogue of Goodale.

Defensorium Paris.

The Sume of Christianity.

The Mirrour of them that be Sick and in Pain.

Treatise of the Supper of the Lord, by Calwyn.

Every one of Calwyn's Works.

XXVII.

BOOK
III.

A Collection of passages out of the canon law, made by Cranmer, to shew the necessity of reforming it. An original.

Dist. 22. *Omnes de major. et obedient. solit. extra. De majorit. et obedient. Unam sanctam.*

HE that knowledgeth not himself to be under the bishop of Rome, and that the bishop of Rome is ordained by God to have primacy over all the world, is an heretick, and cannot be saved, nor is not of the flock of Christ.

Ex MSS.
D. Stilling-
fleet.

Dist. 10. *De sententia excommunicationis, noverit 25. q. 11. omne.*

Princes laws, if they be against the canons and decrees of the bishop of Rome, be of no force nor strength.

Dist. 19, 20, 24. q. 1. *A recta memor. Quotiens hæc est. 25. q. 1. General. violatores.*

All the decrees of the bishop of Rome ought to be kept perpetually of every man, without any repugnancy, as God's word spoken by the mouth of Peter; and whosoever doth not receive them, neither availeth them the catholick faith, nor the four evangelists, but they blaspheme the Holy Ghost, and shall have no forgiveness.

35. q. 1. *Generali.*

All kings, bishops, and noblemen, that believe or suffer the bishop of Rome's decrees in any thing to be violate, be accursed, and for ever culpable before God, as transgressors of the catholick faith.

Dist. 21. *Quamvis, et 24. q. 1. A recta memor.*

The see of Rome hath neither spot nor wrinkle in it, nor cannot err.

55. q. 1. *Ideo de senten. et re judicata; de jurejurando licet ad apostolicæ li. 6. de jurejurando.*

The bishop of Rome is not bound to any decrees, but he may compel, as well the clergy as lay-men, to receive his decrees and canon-law.

BOOK III. 9. q. 2. *Ipsi cuncta. Nemo x. q. 6. dudum aliorum. 17. q. 4.*
Si quis de baptis. et ejus effectu majores.

The bishop of Rome hath authority to judge all men, and specially to discern the articles of the faith, and that without any council, and may assoil them that the council hath damned; but no man hath authority to judge him, nor to meddle with any thing that he hath judged, neither emperor, king, people, nor the clergy: and it is not lawful for any man to dispute of his power.

gr. Duo sunt 25. q. 6. Alios nos sanctorum juratos in Clement. de hæreticis aut officium.

The bishop of Rome may excommunicate emperors and princes, depose them from their states, and assoil their subjects from their oath and obedience to them, and so constrain them to rebellion.

De major. et obedien. solit. Clement. de sententia et re judicata pastoral.

The emperor is the bishop of Rome's subject, and the bishop of Rome may revoke the emperor's sentence in temporal causes.

De elect. et electi potestate venerabilem.

It belongeth to the bishop of Rome to allow or disallow the emperor after he is elected; and he may translate the empire from one region to another.

De supplenda neglig. prælat. grand. li. 6.

The bishop of Rome may appoint coadjutors unto princes.

Dist. 17. Si modo synodum regula. Nec licuit multum. Concilia. 96. ubinam.

There can be no council of bishops without the authority of the see of Rome; and the emperor ought not to be present at the council, except when matters of the faith be entreating, which belong universally to every man.

2. q. 6.

Nothing may be done against him that appealeth unto Rome.

1. q. 3. Aliorum dist. 40. Si papa. Dist. 96. Satis.

The bishop of Rome may be judged of none but of God

only ; for altho' he neither regard his own salvation, nor no man's else, but draw down with himself innumerable people by heaps unto hell ; yet may no mortal man in this world presume to reprehend him : forasmuch as he is called God, he may not be judged of man, for God may be judged of no man.

3. x. q. 5.

The bishop of Rome may open and shut heaven unto men.

Dist. 40. *Non nos.*

The see of Rome receiveth holy men, or else maketh them holy.

De penitentia. Dist. 1. *Serpens.*

He that maketh a lye to the bishop of Rome committeth sacriledg.

De consecra. Dist. 1. *De locorum præcepta. Ecclesia de elect. et electi potestate fundamenta.*

To be senator, captain, patrician, governor, or officer of Rome, none shall be elected or pointed, without the express licence and special consent of the see of Rome.

De electione et electi potestate venerabilem.

It appertaineth to the bishop of Rome to judge which oaths ought to be kept, and which not.

De jurejurand. Si vero. 15. q. 6. *Authoritatem.*

And he may absolve subjects from their oath of fidelity, and absolve from other oaths that ought to be kept.

De foro competent. Ex tenore. De donat. inter virum et uxorem dependentia. Qui filii sunt legitime per venerabilem. De elect. et electi potestate fundamenta. Extravag. de majorit. et obedient. unam sanctam. De judiciis novit.

The bishop of Rome is judge in temporal things, and hath two swords, spiritual and temporal.

De hæreticis multorum.

The bishop of Rome may give authority to arrest men, and imprison them in manacles and fetters.

Extrav. de consuetudine super gentes.

The bishop of Rome may compel princes to receive his legats.

BOOK
III.*De truga et pace. Trugas.*

It belongeth also to him to appoint and command peace and truce to be observed and kept, or not.

De præbend. et dig. dilectus et li. 6. licet.

The collation of all spiritual promotions appertain to the bishop of Rome.

De excessibus prælatorum. Sicut unire.

The bishop of Rome may unite bishopricks together, and put one under another at his pleasure.

Li. 6. de pænis felicis.

In the chapter *Felicis li. 6. de pænis*, is the most partial and unreasonable decree made by Bonifacius 8. that ever was read or heard, against them that be adversaries to any cardinal of Rome, or to any clerk, or religious man of the bishop of Rome's family.

Dist. 28. Consulendum. Dist. 96. Si imperator. 11. q. 1. Quod clericus. Nemo nullus. Clericum, &c. et q. 2. Quod vero de sentent. excommunication. Si iudex q. 2. q. 5. Si quis de foro competent. Nullus. Si quis. Ex transmissa. de foro compet. in 6 seculares.

Laymen may not be judges to any of the clergy, nor compel them to pay their undoubted debts, but the bishops only must be their judges.

De foro competent. Cum sit licet.

Rectors of churches may convent such as do them wrong, whither they will, before a spiritual judge, or a temporal.

Idem ex parte dilecti.

A layman being spoiled, may convent his adversaries before a spiritual judge, whether the lords of the feod consent thereto or not.

Ibidem significasti, et 11. q. 1. placuit.

A layman may commit his cause to a spiritual judge; but one of the clergy may not commit his cause to a temporal judge, without the consent of the bishop.

Ne clerici vel monachi. Secundum.

Laymen may have no benefices to farm.

De sententia excommunicationis. Noverit extra. de pœnitentii et remiss. &c. etsi.

All they that make, or write any statutes contrary to the liberties of the church ; and all princes, rulers, and counselors, where such statutes be made, or such customs observed, and all the judges and others that put the same in execution ; and where such statutes and customs have been made and observed of old time, all they that put them not out of their books be excommunicate, and that so grievously, that they cannot be assoiled but only by the bishop of Rome.

De immunitate ecclesiæ. Non minus adversus. Quia quum et in 6. clericis.

The clergy, to the relief of any common necessity, can nothing confer without the consent of the bishop of Rome ; nor it is not lawful for any layman to lay any imposition of taxes, subsidies, or any charges upon the clergy.

Dist. 97. Hoc capitulo et 63. Nullus et quæ sequuntur. Non aliæ cum laic.

Laymen may not meddle with elections of the clergy, nor with any other thing that belongeth unto them.

De jurejurando. Nimis.

The clergy ought to give no oath of fidelity to their temporal governors, except they have temporalities of them.

Dist. 96. Bene quidem. 12. q. 2. Apostolicos. Quisquis.

The goods of the church may in no wise be alienated, but whosoever receiveth or buyeth them, is bound to restitution ; and if the church have any ground which is little or nothing worth, yet it shall not be given to the prince ; and if the prince will needs buy it, the sale shall be void and of no strength.

13. q. 2. Non liceat.

It is not lawful for the bishop of Rome to alienate or mortgage any lands of the church, for every manner of necessity, except it be houses in cities, which be very chargeable to support and maintain.

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Dist. 96. *Quis nunquam*, 3. q. 6. *Accusatio* 11. q. 1. *Continua nullus testimonium relatum experientiae. Si quisquam. Si quæ. Sicut statuimus, nullus de persona. Si quis.*

Princes ought to obey bishops, and the decrees of the church, and to submit their heads unto the bishops, and not to judge over the bishops; for the bishops ought to be forbidden, and to be judged of no layman.

De major. et obediens. solite.

Kings and princes ought not to set bishops beneath them, but reverently to rise against them, and to assign them an honourable seat by them.

11. q. 1. *Quæcunque. Relatum. Si qui omnes volumus. Placuit.*

All manner of causes, whatsoever they be, spiritual or temporal, ought to be determined and judged by the clergy.

Ibidem omnes.

No judge ought to refuse the witness of one bishop, altho' he be but alone.

De hæreticis ad abolendam, et in Clementinis ut officium.

Whosoever teacheth or thinketh of the sacraments otherwise than the see of Rome doth teach and observe, and all they that the same see doth judge hereticks, be excommunicate.

And the bishop of Rome may compel by an oath, all rulers and other people, to observe, and cause to be observed, whatsoever the see of Rome shall ordain concerning heresie, and the fautors thereof; and who will not obey, he may deprive them of their dignities.

Clement. de reliq. et venerat. sanctorum. Si Dominus extravig. de reliq. et venerat. sanctorum. Cum præ excelsa: de pœnitent. et remiss. antiquorum, et Clement. unigenitus. Quemadmodum.

We obtain remission of sin, by observing of certain feasts, and certain pilgrimages in the jubilee, and other prescribed times, by virtue of the bishop of Rome's pardons.

De penitentiis et remissionibus extravag. ca. 3. Et si Do- BOOK
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minici.

Whosoever offendeth the liberties of the church, or doth violate any interdiction that cometh from Rome, or conspir-eth against the person, or statute of the bishop, or see of Rome; or by any ways offendeth, disobeyeth, or rebelleth against the said bishop, or see; or that killeth a priest, or offendeth personally against a bishop, or other prelate; or invadeth, spoileth, withholdeth, or wasteth lands belonging to the church of Rome, or to any other church, immediately subject to the same; or whosoever invadeth any pilgrims that go to Rome, or any suitors to the court of Rome, or that lett the devolution of causes unto that court, or that put any new charges or impositions, real or personal upon any church, or ecclesiastical person; and generally all others that offend in the cases contained in the bull, which is usually published by the bishops of Rome upon Maundy Thursday; all these can be assoiled by no priest, bishop, archbishop, nor by none other, but only by the bishop of Rome, or by his express licence.

2. 4. q. x.

Robbing of the clergy, and poor men, appertaineth unto the judgment of the bishops.

23. 9. q.

He is no man-slayer that slayeth a man which is excommunicate.

Dist. 63. *Tibi domino de sententia excommunicationis. Si judex.*

Here may be added the most tyrannical and abominable oaths which the bishop of Rome exacts of the emperors; in *Clement. de jurejurando Romani dist. 6. 3. Tibi domino.*

De consecra. Dist. 1. Sicut.

It is better not to consecrate, than to consecrate in a place not hallowed.

De consecrat. Dist. 5. De his manus, ut jejuni.

Confirmation, if it be ministred by any other than a bishop, is of no value, nor is no sacrament of the church;

BOOK III. also confirmation is more to be had in reverence than baptism ; and no man by baptism can be a Christian man without confirmation.

De pœnitent. Dist. 1. Multiplex.

A penitent person can have no remission of his sin, but by supplication of the priests.

XXVIII.

A mandate for publishing and using the prayers in the English tongue.

Mandatum domino episcopo London. direct : pro publicatione regiarum injunctionum.

Register,
Bonner.
fol. 48.

MOST reverend father in God, right trusty and right well-beloved we greet you well, and let you wit, that calling to our remembrance the miserable state of all Christendom, being at this present, besides all other troubles, so plagued with most cruel wars, hatred, and dissensions, as no place of the same almost (being the whole reduced to a very narrow corner) remaineth in good peace, agreement, and concord ; the help and remedy whereof far exceeding the power of any man, must be called for of him who only is able to grant our petitions, and never forsaketh nor repealeth any that firmly believe, and faithfully call on him ; unto whom also the example of scripture encourageth us, in all these and other our troubles and necessities, to fly and to cry for aid and succour ; being therefore resolved to have continually from henceforth general processions, in all cities, towns, churches, and parishes of this our realm, said and sung, with such reverence and devotion as appertaineth. Forasmuch as heretofore the people, partly for lack of good instruction and calling, and partly for that they understood no part of such prayers or suffrages as were used to be sung and said, have used to come very slackly to the procession, when the same have been commanded heretofore : we have set forth certain godly prayers and suffrages in our native English tongue, which we send you herewith, signifying

unto you, that for the special trust and confidence we have of your godly mind, and earnest desire, to the setting forward of the glory of God, and the true worshipping of his most holy name, within that province committed by us unto you, we have sent unto you these suffrages, not to be for a month or two observed, and after slenderly considered, as other our injunctions have to our no little marvel, been used; but to the intent that as well the same, as other our injunctions, may be earnestly set forth by preaching good exhortations and otherwise to the people, in such sort as they feeling the godly taste thereof, may godly and joyously, with thanks, receive, embrace, and frequent the same, as appertaineth. Wherefore we will and command you, as you will answer unto us for the contrary, not only to cause these prayers and suffrages aforesaid to be published, frequented, and openly used in all towns, churches, villages, and parishes of your own diocese, but also to signify this our pleasure, unto all other bishops of your province, willing and commanding them in our name, and by virtue hereof, to do and execute the same accordingly. Unto whose proceedings, in the execution of this our commandment, we will that you have a special respect, and make report unto us, if any shall not with good dexterity accomplish the same; not failing, as our special trust is in you.

At St. James's, *Junii—regni* 36. Directed to the archbishop of Canterbury.

XXIX.

The articles acknowledged by Shaxton, late bp. of Sarum.

THE first; Almighty God by the power of his word, pronounced by the priest at mass in the consecration, turneth the bread and wine into the natural body and blood of our Saviour Jesus Christ; so that after the consecration, there remaineth no substance of bread and wine, but only the substance of Christ, God and man.

Register,
Bonner.
fol. 100.

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The second; The said blessed sacrament, being once consecrate, is and remaineth still the very body and blood of our Saviour Christ, although it be reserved, and not presently distributed.

The third; The same blessed sacrament being consecrate, is and ought to be worshipped and adored with godly honour wheresoever it is, forasmuch as it is the body of Christ inseparably united to the Deity.

The fourth; The church, by the ministration of the priest, offereth daily at the mass for a sacrifice to Almighty God, the self-same body and blood of our Saviour Christ, under the form of bread and wine, in the remembrance and representation of Christ's death and passion.

The fifth; The same body and blood which is offered in the mass, is the very propitiation and satisfaction for the sins of the world; forasmuch as it is the self same in substance which was offered upon the cross for our redemption: and the oblation and action of the priest is also a sacrifice of praise and thanksgiving unto God for his benefits, and not the satisfaction for the sins of the world, for that is only to be attributed to Christ's passion.

The sixth; The said oblation, or sacrifice, so by the priest offered in the mass, is available and profitable both for the quick and the dead, altho' it lieth not in the power of man to limit how much, or in what measure the same doth avail.

The seventh; It is not a thing of necessity, that the sacrament of the altar should be ministred unto the people under both kinds of bread and wine: and it is none abuse that the same be ministred to the people under the one kind; forasmuch as in every of both the kinds, whole Christ, both body and blood is contained.

The eighth; It is no derogation to the vertue of the mass, altho' the priest do receive the sacrament alone, and none other receive it with him.

The ninth; The mass used in this realm of England is agreeable to the institution of Christ; and we have in this

church of England, the very true sacrament, which is the very body and blood of our Saviour Christ, under the form of bread and wine. BOOK
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The tenth ; The church of Christ hath, doth, and may lawfully order some priests to be ministers of the sacraments, altho' the same do not preach, nor be not admitted thereunto.

The eleventh ; Priests being once dedicated unto God by the order of priesthood, and all such men and women as have advisedly made vows unto God of chastity or widowhood, may not lawfully marry after their said orders received, or vows made.

The twelfth ; Secret auricular confession is expedient and necessary to be retained, continued, and frequented in the church of Christ.

The thirteenth ; The prescience and predestination of Almighty God, altho' in it self it be infallible, induceth no necessity to the action of man, but that he may freely use the power of his own will or choice, the said prescience or predestination notwithstanding.

I Nicholas Shaxton, with my heart do believe, and with my mouth do confess all these articles above-written to be true in every part.

Ne despicias hominem avertentem se a peccato, neque improperes ei: memento quoniam omnes in corruptione sumus, Ecclus. 8.

XXX.

A letter written by Lethington the secretary of Scotland, to sir William Cecil, the queen of England's secretary, touching the title of the queen of Scots to the crown of England ; by which it appears that K. Henry's will was not signed by him.

I CANNOT be ignorant that some do object as to her majesty's foreign birth, and hereby think to make her Ex MSS.
D.G. Petyt.

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incapable of the inheritance of England. To that you know for answer what may be said by an English patron of my mistress's cause, altho' I being a Scot will not affirm the same, that there ariseth amongst you a question, Whether the realm of Scotland be forth of the homage and leageance of England? and therefore you have in sundry proclamations preceding your wars making, and in sundry books at sundry times, laboured much to prove the homage and fealty of Scotland to England. Your stories also be not void of this intent. What the judgment of the fathers of your law is, and what commonly is thought in this matter, you know better than I, and may have better intelligence than I, the argument being fitter for your assertion than mine.

Another question there is also upon this objection of foreign birth; that is to say, Whether princes inheritable to the crown be, in case of the crown, exempted or concluded as private persons being strangers born forth of the allegiance of England. You know in this case, as divers others, the state of the crown: the persons inheritable to the crown at the time of their capacity, have divers differences and prerogatives from other persons; many laws made for other persons take no hold in case of the prince, and they have such privileges as other persons enjoy not; as in cases of attainders, and other penal laws: examples, Hen. 7. who being a subject, was attainted; and Ed. 4. and his father Richard Plantagenet were both attainted; all which notwithstanding their attainders had right to the crown, and two of them attained the same. Amongst many reasons to be shewed, both for the differences, and that foreign birth doth not take place in the case of the crown, as in common persons, the many experiences before the conquest, and since, of your kings, do plainly testify. 2. Of purpose I will name unto you, Hen. 2d. Maud the empress son, and Richard of Bourdeaux the Black Princes son, the rather for that neither of the two was the king of England's son, and so not *enfant du roy*, if the word be taken in this strict signification. And for the better proof that it was always the

common law of your realm, that in the case of the crown, foreign birth was no bar; you do remember the words of the stat. 25. Ed. 3. where it is said, the law was ever so: whereupon if you can remember it, you and I fell out at a reasoning in my lord of Leicester's chamber, by the occasion of the abridgment of Rastal, wherein I did shew you somewhat to this purpose; also these words, *infant* and *ancestors* be in *prædicamento ad aliquid*, and so correlatives in such sort, as the meaning of the law was not to restrain the understanding of this word *infant*, so strict as only to the children of the king's body, but to others inheritable in remainder; and if some sophisters will needs cavil about the precise understanding of *infant*, let them be answered with the scope of this word *ancestors* in all provisions, for *fili*, *nepotes* and *liberi*, you may see there was no difference betwixt the first degree, and these that come after by the civil law. *Liberorum appellatione, comprehenduntur non solum filii, verum etiam nepotes, pronepotes, abnepotes, &c.* If you examine the reason why foreign birth is excluded, you may see that it was not so needful in princes cases, as in common persons. Moreover, I know that England hath oftentime married with daughters, and married with the greatest foreign princes of Europe. And so I do also understand, that they all did repute the children of them, and of the daughters of England, inheritable in succession to that crown, notwithstanding the foreign birth of their issue: and in this case I do appeal to all chronicles, to their contracts of marriages, and to the opinion of all the princes of Christendom. For tho' England be a noble and puissant country, the respect of the alliance only, and the dowry, hath not moved the great princes to match so often in marriages, but the possibility of the crown in succession. I cannot be ignorant altogether in this matter, considering that I serve my sovereign in the room that you serve yours. The contract of marriage is extant betwixt the king, my mistress's grandfather, and queen Margaret, daughter to king Henry the 7th, by whose person

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the title is devolved on my sovereign; what her father's meaning was in bestowing of her, the world knoweth, by that which is contained in the chronicles written by Polidorus Virgilius, before (as I think) either you or I was born; at least when it was little thought that this matter should come in question. There is another exception also laid against my sovereign, which seems at the first to be of some weight, grounded upon some statutes made in king Hen. 8. time, (viz.) of the 28th, and 35th of his reign, whereby full power and authority was given him the said king Henry, to give, dispose, appoint, assign, declare, and limit, by his letters patents under his great seal, or else by his last will made in writing, and signed with his hand at his pleasure, from time to time thereafter the imperial crown of that realm, &c. Which imperial crown is by some alledged and constantly affirmed to have been limited and disposed, by the last will and testament of the said king Hen. 8. signed with his hand before his death unto the children of the lady Francis; and Eleanor, daughter to Mary the French queen, younger daughter of Hen. 7. and of Charles Brandon duke of Suffolk; so as it is thought the queen, my sovereign, and all others, by course of inheritance, be by these circumstances excluded, and foreclosed: so as it does well become all subjects, such as I am, so my liking is, to speak of princes, of their reigns and proceedings modestly, and with respect; yet I cannot abstain to say, that the chronicles and histories of that age, and your own printed statutes being extant, do contaminate and disgrace greatly the reign of that king in that time. But to come to our purpose, what equity and justice was that to disinherit a race of foreign princes of their possibility, and maternal right, by a municipal law or statute made in that, which some would term abrupt time, and say, that that would rule the roast, yea, and to exclude the right heirs from their title, without calling them to answer, or any for them: well it may be said, that the injury of the time, and the indirect dealing is not to be allowed;

but since it is done it cannot be avoided, unless some circumstances material do annihilate the said limitation and disposition of the crown.

Now let us examine the manner and circumstances how king Hen. 8. was by statute inabled to dispose the crown. There is a form in two sorts prescribed him, which he may not transgress, that is to say, either by his letters patents, sealed with his great seal, or by his last will, signed with his hand: for in this extraordinary case he was held to an ordinary and precise form; which being not observed, the letters patents, or will, cannot work the intent or effect supposed. And to disprove, that the will was signed with his own hand; you know, that long before his death he never used his own signing with his own hand; and in the time of his sickness, being divers times pressed to put his hand to the will written, he refused to do it. And it seemed God would not suffer him to proceed in an act so injurious and prejudicial to the right heir of the crown, being his niece. Then his death approaching, some as well known to you as to me, caused William Clarke, sometimes servant to Thomas Henneage, to sign the supposed will with a stamp, (for otherwise signed it was never); and yet notwithstanding some respecting more the satisfaction of their ambition, and others their private commodity, than just and upright dealing, procured divers honest gentlemen, attending in divers several rooms about the king's person, to testify with their hand-writings the contents of the said pretended will, surmised to be signed with the king's own hand. To prove this dissembled and forged signed testament, I do refer you to such trials as be yet left. First; the attestation of the late lord Paget, published in the parliament in queen Mary's time, for the restitution of the duke of Norfolk. Next, I pray you, on my sovereign's behalf, that the depositions may be taken in this matter of the marquess of Winchester, lord treasurer of England; the marquess of Northampton, the earl of Pembroke, sir William Petre then one of king Henry's secretaries, sir Henry Nevell, sir Maurice

BOOK Barkley, doctor Buts, Edmond Harman Baker, John Os-
III. born groom of the chamber, sir Anthony Dennis, if he be
 living, Terris, the chirurgion, and such as have heard David
 Vincent and others speak in this case; and that their attest-
 ations may be enrolled in the chancery, and in the arches,
in perpetuum rei memoriam.

Thirdly; I do refer you to the original will surmised to be signed with the king's own hand, that thereby it may most clearly and evidently appear by some differences, how the same was not signed with the king's hand, but stamped as aforesaid. And albeit it is used both as an argument and calumnation against my sovereign to some, that the said original hath been embezelled in queen Mary's time, I trust God will and hath reserved the same to be an instrument to relieve the truth, and to confound false surmises, that thereby the right may take place, notwithstanding the many exemplifications and transcripts, which being sealed with the great seal, do run abroad in England, and do carry away many mens minds, as great presumptions of great verity and validity. But, sir, you know in cases of less importance, that the whole realm of England transcripts and exemplifications be not of so great force in law to serve for the recovery of any thing, either real or personal: and in as much as my sovereign's title in this case shall be little advanced, by taking exceptions to others pretended and crased titles, considering her precedency, I will leave it to such as are to claim after the issue of Hen. the 7th, to lay in bar the poligamy of Charles Brandon the duke of Suffolk; and also the vitiated and clandestine contract, (if it may be so called) having no witness nor solemnization of Christian matrimony, nor any lawful matching of the earl of Hartford and the lady Katherine. Lastly; the semblably compelling of Mr. Kay, and the lady Mary sister to the lady Katherine.

And now, sir, I have, to answer your desire, said somewhat briefly to the matter, which indeed is very little, where so much may be said; for to speak truly, the cause speaketh for it self. I have so long forborn to deal in this matter,

that I have almost forgotten many things which may be said for roboration of her right, which I can shortly reduce to my remembrance, being at Edinburgh where my notes are : so that if you be not by this satisfied, upon knowledge from you of any other objection, I hope to satisfy you unto all things may be said against her. In the mean time I pray you so counsel the queen, your sovereign, as some effectual reparation may follow without delay, of the many and sundry traverses and disfavourings committed against the queen, my sovereign : as the publishing of so many exemplifications of king Henry's supposed will, the secret embracing of John Halles books, the books printed and not avowed the last summer, one of the which my mistress hath sent by Henry Killigrew to the queen your sovereign ; the disputes and proceedings of Lincoln's-Inn, where the case was ruled against the queen my sovereign ; the speeches of sundry in this last session of parliament, tending all to my sovereign's derision, and nothing said to the contrary by any man, but the matter shut up with silence, most to her prejudice ; and by so much the more as every man is gone home settled and confirmed in his error. And lastly, the queen, your sovereign's resolution to defend now by proclamations, all books and writings containing any discussion of titles when the whole realm hath engendred by these fond proceedings, and other favoured practises, a settled opinion against my sovereigns, to the advancement of my lady Katherine's title. I might also speak of another book lately printed and set abroad in this last session, containing many untruths and weak reasons, which Mr. Wailing desired might be answer'd before the defence were made by proclamation. I trust you will so hold hand to the reformation of all these things, as the queen, my sovereign, may have effectually occasion to esteem you her friend ; which doing, you shall never offend the queen your mistress, your country, nor conscience, but be a favourer of the truth against errors, and yet deserve well of a princess, who hath a good heart to recognize any good turn, when it is done her, and may hereafter have means to do you pleasure. For my

BOOK
III. particular, as I have always honoured you as my father, so do I still remain of the same mind, as one, whom in all things not touching the state, you may direct, as your son Thomas Cecil, and with my hearty commendations to you, and my lady, both, I take my leave. From Strivling, the 14th of January, 1566.

AN
APPENDIX
CONCERNING SOME OF
THE ERRORS AND FALSEHOODS
IN
SANDERS'S BOOK
OF
THE ENGLISH SCHISM.

AN

APPENDIX.

THOSE who intend to write romances, or plays, do commonly take their plot from some true piece of history ; in which they fasten such characters to persons and things, and mix such circumstances and secret passages, with those public transactions and changes, that are in other histories ; as may more artificially raise those passions and affections in their readers' minds, which they intend to move, than could possibly be done, if the whole story were a mere fiction and contrivance : and tho' all men know those tender passages to flow only from the invention and fancy of the poet ; yet, by I know not what charm, the greatest part that read or hear their poems, are softened and sensibly touched.

Some such design Sanders seems to have had in his book, which he very wisely kept up as long as he lived : he intended to represent the reformation in the foulest shape that was possible, to defame queen Elizabeth, to stain her blood, and thereby to bring her title to the crown in question ; and to magnify the authority of the see of Rome, and celebrate monastic orders, with all the praises and high characters he could devise : and therefore, after he had writ several books on these subjects, without any considerable success, they being all rather filled with foul calumnies and detracting malice, than good arguments, or strong sense, he resolved to try his skill another way ; so he intended to tell a doleful tale, which should raise a detestation of heresy, an ill opinion of the queen, cast a stain on her blood, and disparage her title, and advance the honour of the papacy. A tragedy was fitter for these ends, since it left the deepest im-

pressions on the graver and better affections of the mind; the scene must be laid in England, and king Henry the Eighth and his three children, with the changes that were in their times, seemed to afford very plentiful matter for a man of wit and fancy, who knew where he could dexterously shew his art; and had boldness enough to do it without shame, or the reverence due, either to crowned heads, or to persons that were dead. Yet because he knew not how he could hold up his face to the world, after these discoveries were made, which he had reason to expect, this was concealed as long as he lived; and after he had died *for his faith* (that is, in rebellion, which I shall shew *is the faith* in his style) this work of his was published. The style is generally clean, and things are told in an easy and pleasant way; only he could not use his art so decently, as to restrain that malice which boiled in his breast, and often fermented out too palpably in his pen.

The book served many ends well, and so was generally much cried up, by men who had been long accustomed to commend any thing that was useful to them, without troubling themselves with those impertinent questions, whether they were true or false; yet Rishton, and others since that time, took the pencil again in their hands, and finding there were many touches wanting, which would give much life to the whole piece, have so changed it, that it was afterwards reprinted, not only with a large continuation, that was writ by a much more unskilful poet, but with so many and great additions, scattered through the whole work, whereby it seemed so changed in the vamping, that it looked new.

If any will give themselves the trouble, to compare his fable with the History that I have written, and the certain undoubted authorities I bring in confirmation of what I assert, with the slender, and (for the most part) no authorities, he brings, they will soon be able to discern where the truth lies: but because all people have not the leisure or opportunities for laying things so critically together, I was advised, by those whose counsels directed me in this whole work, to sum up, in an Appendix, the most considerable falsehoods

and mistakes of that book, with the evidences upon which I rejected them. Therefore I have drawn out the following extraction, which consists of errors of two sorts. The one is, of those in which there is indeed no malice, yet they shew the writer had no true information of our affairs, but commits many faults, which tho' they leave not such foul imputations on the author, yet tend very much to disparage and discredit his work. But the others are of an higher guilt, being designed forgeries to serve partial ends; not only without any authority, but manifestly contrary to truth, and to such records as (in spite of all the care they took in Q. Mary's time by destroying them, to condemn posterity to ignorance in these matters) are yet reserved, and serve to discover the falsehood of those calumnies in which they have traded so long. I shall pursue these errors in the series in which they are delivered in Sanders his book, according to the impression at Colen 1628, which is that I have. I first set down his errors, and then a short confutation of them, referring the reader for fuller information to the foregoing History.

1. Sanders says; "That when prince Arthur and his Page 2.
"princess were bedded, king Henry the 7th ordered a
"grave matron to lie in the bed, that so they might not
"consummate their marriage."

This is the ground-work of the whole fable; and should have been some way or other proved. But if we do not take so small a circumstance upon his word, we treat him rudely; and who will write histories, if they be bound to say nothing but truth! but little thought our author that there were three depositions upon record, pointblank against this; for the duchess of Norfolk, the viscount of Fitzwater and his lady, deposed they saw them bedded together, and the bed blessed after they two were put in it; besides that such an extravagant thing was never known done in any place.

2. Sanders says; "Prince Arthur was not then fifteen Ibid.
"years of age, and was sick of a lingering disease."

The plot goes on but scurvily, when the next thing that

is brought to confirm it is contradicted by records. Prince Arthur was born the 20th of September in the year 1486, and so was 15 years old and two months passed at the 14th of November 1501, in which he was married to the princess, and was then of a lively and good complexion, and did not begin to decay till the Shrovetide following, which was imputed to his excesses in the bed, as the witnesses depose.

Page 2.

3. He says; "Upon the motion for the marrying of his brother Henry to the princess, it was agreed to by all, that the thing was lawful."

It was perhaps agreed on at Rome, where money and other political arts sway their counsels; but it was not agreed to in England: for which we have no meaner authority than Warham archbishop of Canterbury, who, when examined upon oath, deposed that himself then thought the marriage was not honourable, nor well pleasing to God, and that he had thereupon opposed it much, and that the people murmured at it.

Page 3.

4. He says; "There was not one man in any nation under heaven, or in the whole church, that spake against it."

The common style of the Roman church, calling the see of Rome the catholick church, must be applied to this, to bring off our author; otherwise I know not how to save his reputation. Therefore by all *the nations under heaven* must be understood only the divines at Rome, though when it came to be examined, they could scarce find any who would justify it: all the most famous universities, divines, and canonists, condemned it, and Warham's testimony contradicts this plainly, besides the other great authorities that were brought against it, for which see lib. 2. from pag. 182. to pag. 207.

Page 4.

5. "The king once said, *He would not marry the queen.*"

Here is a pretty essay of our author's art, who would make us think it was only in a transient discourse, that the king said he would not marry queen Katherine; but this was more maturely done, by a solemn protestation, which he read himself before the bishop of Winchester, that he would never marry her, and that he revoked his consent given

under age. This was done when he came to be of age, see pag. 71. it is also confessed by Sanders himself.

6. He says; "The queen bore him three sons and two daughters."

All the books of that time speak only of two sons, and one daughter: but this is a flourish of his pen to represent her a fruitful mother.

7. He says; "The king had sometimes two, sometimes three concubines at once."

It does not appear he had ever any but Elizabeth Blunt; and if we judge of his life, by the letters the popes wrote to him, and many printed eulogies that were published then, he was a prince of great piety and religion all that while.

8. He says; "The lady Mary was first desired in marriage by James the 5th of Scotland, then by Charles the 5th the emperor; and then Francis asked her, first for the dolphin, then for the duke of Orleans, and last of all for himself."

But all this is wrong placed; for she was first contracted to the dolphin, then to the emperor, and then treated about to the king of Scotland; after that it was left to Francis his choice, whether she should be married to himself, or his second son the duke of Orleans: so little did our poet know the publick transactions of that time.

9. He says; "She was in the end contracted to the dolphin: from whence he concludes, that all foreign princes were satisfied with the lawfulness of the marriage."

She was first of all contracted to the dolphin. Foreign princes were so little satisfied of the lawfulness of the marriage, that though she being heir to the crown of England, was a match of great advantage; yet their counsellors expected to it, on that very account, that the marriage was not good. This was done in Spain, and she was rejected, as a writer who lived in that time informs us; and Sanders confesses it was done by the French ambassador.

10. He says; "Wolsey was first bishop of Lincoln, then of Duresme, after that of Winchester, and last of all arch-

“ bishop of York ; after that he was made chancellor, then
“ cardinal and legate.”

The order of these preferments is quite reversed ; for Wolsey soon after he was made bishop of Lincoln, upon cardinal Bembridge his death, was not only promoted to the see of York, but advanced to be a cardinal in the 7th year of the king’s reign : and some months after that, he was made lord chancellor ; and seven years after that, he got the bishoprick of Duresme, which six years after he exchanged for Winchester. He had heard perhaps that he enjoyed all these preferments ; but knowing nothing of our affairs beyond hearsay, he resolved to make him rise as poets order their heroes, by degrees, and therefore ranks his advancement not according to truth, but in the method he liked best himself.

Page 8.

11. He says ; “ Wolsey first designed the divorce, and
“ made Longland, that was the king’s confessor, second his
“ motion for it.”

The king not only denied this in publick, saying, that he himself had first moved it to Longland in confession ; and that Wolsey had opposed it all he could : but in private discourse with Grinæus, told him, he had laboured under these scruples for seven years ; *septem perpetuis annis trepidatio*. Which, reckoning from the year 1531, in which Grinæus wrote this to one of his friends, will fall back to the year 1524, long before Wolsey had any provocation to tempt him to it.

Page 9.

12. He says ; “ In the year 1529, in which the king was
“ first made to doubt of his marriage, he was resolved then
“ whom to marry when he was once divorced.”

But by his other story, Anne Boleyn was then but fifteen years old, and went to France at that age, where she stayed a considerable time before she came to the court of England.

Ibid.

13. He says ; “ The king spent a year in a private
“ search, to see what could be found, either in the scrip-
“ tures, or the pope’s bull, to be made use of against his
“ marriage ; but they could find nothing.”

In that time all the bishops of England, except Fisher, declared under their hands and seals, that they thought the marriage unlawful; for which see pag. 76. and upon what reasons this was grounded has been clearly opened, pag. 196.

14. He says; "If there were any ambiguities in the pope's first letters (meaning the bull, for dispensing with the marriage) they were cleared by other letters, which Ferdinand of Spain had afterwards procured." Page 8.

These other letters (by which he means the breve) bear date the same day with the bull; and so were not procured afterwards. There were indeed violent presumptions of their being forged long after, even after the process had been almost a year in agitation. But though they helped the matter in some lesser particulars, yet in the main business, whether prince Arthur did know his princess, they did it a great prejudice; for whereas the bull bore, that by the queen's petition her former marriage was *perhaps consummated*, the breve bears that in her petition, the marriage was said to be consummated, without any *perhaps*.

15. He says; "The king having seen these second letters, both he and his council resolved to move no more in it." Page 9.

The process was carried on, almost a year, before the breve was heard of; and the forgery of it soon appeared, so they went on notwithstanding it.

16. He says; "The bishop of Tarby being come from France, to conclude the match for the lady Mary, was set on by the king and the cardinal, to move exception to the lawfulness of the marriage." Page 10.

There is no reason to believe this; for that bishop, though afterwards made a cardinal, never published this; which both he ought to have done as a good catholic, and certainly would have done as a true cardinal, when he saw what followed upon it, and perceived that he was trepanned to be the first mover of a thing, which ended so fatally for the interests of Rome.

17. He says; "The bishop of Tarby, in a speech before" Page 11.

“ the king in council, said, that not he alone, but almost all
 “ learned men, thought the king’s marriage unlawful and
 “ null ; so that he was freed from the bond of it, and that
 “ it was against the rules of the gospel ; and that all foreign
 “ nations had ever spoken very freely of it, lamenting that
 “ the king was drawn into it in his youth.”

It is not ordinary for ambassadors to make speeches in king’s councils : but if this be true, it agrees ill with what this author delivers in his third page, that there was not a man in the whole church, nor under heaven, that spoke against it, otherwise the bishop of Tarby was both an im-pudent and a foolish man.

Page 13.

18. He says ; “ Upon the pope’s captivity, Wolsey was
 “ sent over to France with 300,000 crowns to procure the
 “ pope’s liberty.”

Hall, Holinshed, and Stow, say, he carried over 240,000 pounds sterling, which is more than thrice that sum.

Ibid.

19. He says ; “ Two colleagues were sent in this am-bassy with the cardinal.”

His greatness was above that, and none are mentioned in the Records.

Ibid.

20. He says ; “ Orders followed him to Calais, not to
 “ move any thing about the king’s marriage with the French
 “ king’s sister, the king having then resolved to marry Anne
 “ Boleyn.”

This agrees ill with what he said pag. 9. that a year before the king was resolved whom to marry.

Ibid.

21. He says ; “ King Henry, that he might have freer
 “ access to sir Thomas Boleyn’s lady, sent him to France ;
 “ where, after he had stayed two years, his lady was with
 “ child of Anne Boleyn by the king.”

This story was already confuted, see pag. 81, 82. And in it there are more than one or two lies.

1. Sir Thomas Boleyn went not ambassador to France till the seventh year of the king’s reign : and if two years after that Anne was born, which was the ninth of his reign, she must then have been but ten years old at this time.

2. Though he had sent him upon his first coming to the

crown, this could not be true; for two years after, admit her to be born, that is anno 1511, then a year before this, which was anno 1526, she was fifteen years old; in which age, Sanders says, she was corrupted in her father's house, and sent over to France, where she staid long. But all this is false: for,

8. She was born two years before the king came to the crown, in the year 1507, and if her father was sent to France two years before, it was in the year 1505.

4. The king being then prince was but fourteen years old, for he was born the 28th of June, in the year 1491; in which age there is no reason to think he was so forward as to be corrupting other men's wives, for they will not allow his brother, when almost two years elder, to have known his own wife.

As for the other pieces of this story, that sir Thomas Boleyn did sue his lady in the spiritual court; that upon the king's sending him word that she was with child by him, he passed it over; that the king had also known her sister, and that she had owned it to the queen, that at the fifteenth year of Anne's age, she had prostituted herself both to her father's butler, and chaplain; that then she was sent to France, where she was at first for some time concealed, then brought to court, where she was so notoriously lewd, that she was called an *hackney*; that she afterwards was kept by the French king; that when she came over into England, sir Thomas Wiat was admitted to base privacies with her, and offered to the king and his council, that he himself should with his own eyes see it: and, in fine, that she was ugly, misshaped, and monstrous, are such an heap of impudent lies, that none but a fool, as well as a knave, would venture on such a recital. And for all this, he cites no other authority but Rastal's *Life of Sir Thomas More*, a book that was seen by none but himself; and he gives no other evidence that there was any such book, but his own authority. Nor is it likely that Rastal ever writ More's life, since he did not set it out with his works which he published in one volume, anno 1556. It is true, More's son-in-

law, Roper, writ his life which is since printed, but there is no such story in it. The whole is such a piece of lying, as if he who forged it had resolved to outdo all who had ever gone before him: for can it be so much as imagined, that a king could pursue a design for seven years together, of marrying a woman of so scandalous a life, and so disagreeable a person; and that he who was always in the other extreme of jealousy, did never try out these reports, and would not so much as see what Wiat informed? Nor were these things published in the libels that were printed at that time, either in the emperor's court, or at Rome. All which shew, that this was a desperate contrivance of malicious traitors against their sovereign queen Elizabeth, to defame and disgrace her. And this I take to be the true reason why none made any full answer to this book all her time. It was not thought for the queen's honour to let such stuff be so much considered as to merit an answer. So that the 13, 14, 15, 16, 17, and 18 pages are one continued lie.

Page 16.

22. He says; "Sir Thomas Boleyn, hearing the king intended to marry his supposed daughter, came over in all haste from France, to put him in mind that she was his own child; and that the king bade him hold his peace for a fool, for *an hundred* had lain with his wife as well as he, but whosoever daughter she was, she should be his wife: and upon that sir Thomas instructed his daughter how she should hold the king in her toils."

Sir Thomas must have thought the king had an ill memory, if he had forgot such a story: but the one part of this makes him afraid that the king should marry his daughter, and the other part makes him afraid they should miss their hopes in it: not to mention how little likely it is, that a king of such high vanity would have done that which the privatest person has an aversion to, I mean, the marrying the daughter of one whom they know to be a common prostitute.

Page 19.

23. He says; "Wolsey, before his return from France, sent Gambara to the pope, desiring him to name himself vicar of the papacy, during his captivity."

This was not done till almost a year after this: and the motion was sent by Staphileus dean of the rota, for which see pag. 99.

24. He says; "None but ill men and ignorant persons" Page 20.
 "wrote against the marriage, but all learned and good men
 "wrote for it."

The whole doctors of the church, in all ages, were against it; and no doctor, ancients than Cajetan, could ever be found to have writ for it.

25. He says; "That though great endeavours were used" Ibid.
 "to persuade sir Thomas More of the unlawfulness of the
 "marriage, all was in vain."

Is it probable that the king would have made him lord chancellor, when he was so earnest in this business, if he had not known that he would have gone along with him in it? By one of his letters to Cromwell out of the Tower, it appears, that he approved the divorce, and had great hopes of success in it, as long as it was prosecuted at Rome, and founded on the defects in the bull. And in the 22d year of the king's reign, when the opinions of the universities, and the books of learned men were brought to England against the marriage, he carried them down to the house of commons, and made read them there; after which he desired they would report in their country what they had heard and seen; and then all men would openly perceive that the king had not attempted this matter of his will and pleasure, but only for the discharge of his conscience. More was a man of greater integrity than to have said this, if he had thought the marriage good; so that he has either afterwards changed his mind, or did at this time dissemble too artificially with the king.

26. After a long flourish about the king's secret fears and Page 22.
 apprehensions, and the perplexities the cardinal was in, which must pass for a piece of *his wit*, that is to say, *lying*, for he knew none of their thoughts, he says; "That Gardiner and sir Francis Brian were sent to the pope together, Gardiner being then secretary of state."

In this there are only three gross mistakes. First, Gar-

diner was not sent with the first message to the pope; secretary Knight carried it.

2. Sir Francis Brian went never to Rome with Gardiner. It is true, a year after the commencing the suit, sir Francis Brian was sent to Rome, and about a month after him Gardiner was also sent; so though they were both together at Rome, yet they were not sent thither together.

3. Gardiner was not secretary of state, but was Wolsey's secretary when he went first to Rome, and was made a privy-counsellor when he was sent thither the second time; and was not secretary of state till some months after his return from his journey the last time.

Page 23. 27. He says; "They made the pope believe that the "queen would willingly retire into a monastery."

This was on the contrary a contrivance of the pope's, who thought it the easiest way to bring the matter to a good issue; but in England they had no hopes of it, and so always diverted the motion when it was proposed by the pope.

Ibid. 28. He says; "The pope said he would consult with "some cardinals and divines, and do all that he could law- "fully do to give the king satisfaction."

Upon the first motion of it, the pope frankly granted the king's desire; and gave a bull with a commission upon it: and only consulted some cardinals about the methods of doing it. And did assure the king, that he would not only do every thing that could be granted in law or justice, but whatsoever he could grant out of *the fulness of his power*. It is true afterwards, when the pope changed his measures, and resolved to agree with the emperor, he pretended he understood not these things himself, but would needs turn it over upon the cardinals and divines.

Page 24. 29. He says; "All the cardinals were of a mind that the "marriage was good."

Cardinal *Sanctorum Quatuor*, by the force of that mighty argument of 4000 crowns, changed his mind. All the other cardinals were forward in granting the king's desires, for which he wrote them a letter of thanks.

30. He says; "The pope granted the commission to the Page 26.
 "two legates, not doubting but it was true that had been
 "told him of the queen's readiness to go into a monas-
 "tery."

The pope knew she would not yield to any such thing; but when he granted that commission, he sent with Campegio a decretal bull, annulling the marriage; and sent afterwards a promise never to avocate the process, but to confirm what sentence the legates should give; though soon after he broke his promise most signally. And since he had often dispensed with others for breaking their faith, he might think that it was hard to deny him the same privilege for himself.

31. He says; "The pope, understanding that the queen Ibid.
 "did not consent to the propositions that were made, and
 "that he had been abused, sent after Campegio, when he
 "was on his journey, that he should not proceed to a sen-
 "tence without a new order."

The pope sent Campana to England after Campegio, to assure the king he would do every thing for him that he could do *out of the fulness of his power*: and ordered the same person to charge cardinal Campegio to burn the decretal bull, which he had sent by him: in all which the pope, as appears by the original letters, was only governed by politic maxims, and considered nothing but the dangers himself was like to fall in; though Sanders would persuade us, he was ready to run the hazard of all these.

32. He says; "The king by his letters to the pope, did, Page 30.
 "at the same time that he was moving scruples about his
 "own marriage, transact about a dispensation for a marriage
 "betwixt his own natural son the duke of Richmond, and
 "his daughter the lady Mary."

Though the whole despatches at that time, both to and from Rome, be most happily preserved, there is not the least mention of any such design: and can any body think, that if any such motion had been made, the pope would not have taken great advantages from it, and that these letters would not have been afterwards published? But this Sanders

thought was a pretty embellishment of his fable; and of a piece with this is his next.

Page 30. 33. He says; "The king did under his own hand confess, he had known Anne Boleyn's sister Mary, and desired the pope would dispense with his marrying Anne, notwithstanding that."

The falsehood of this appears from the recital of it: and how came it, that these letters were not published; nor is there any mention of this in all the despatches I have seen. And it is not possible, that in so many conferences which the English ambassadors had with the pope, these two things should never have been discoursed of. And can it be thought credible, that at the same time when the king pretended such scruples and troubles of conscience, he would be guilty of so much folly and impudence, as to put himself thus in the pope's mercy, by two such demands? This was a forgery of cardinal Pole's, which Sanders greedily caught to dress up the scene.

Page 34. 34. From page 34. to 42. there is a trifling account given of the reasons brought against the marriage, which Sanders answers manfully, and fights courageously against the man of straw he had set up. But if that be compared with what has been opened in the history, it will appear how lame and defective his account is.

Page 42. 35. He says; "Clarke bishop of Bath and Wells, Tonsal bishop of London, and West bishop of Ely, writ for the lawfulness of the king's marriage."

All the bishops, except Fisher, had a year before this given it under their hands and seals, that the king's marriage was unlawful: and in all the memorials of that time, Fisher is the only bishop I find mentioned to have writ for it. Tonsal was also soon after translated to Duresme, which none that have considered that king's temper, will think could have been done, if he had interposed in so tender a point, against what the king so vehemently desired.

Ibid. 36. He says; "That Abell, Powel, Fetherston, and Ridley, also writ for the marriage."

This is not likely of the second and third, for they being

afterwards attainted of treason, no such books were objected to them ; but the crime charged on them was only that they said, the king's marriage with queen Katherine was good.

37. He says ; “ All things appeared clear in the trial be- Page 43.
 “ fore the legates, in behalf of the marriage, so that they
 “ could give no sentence against such full evidence as was
 “ brought for it.”

This is said without any regard to truth ; for all the matter of fact that had been alleged was clearly proved for the contrary side. It was proved that prince Arthur married the queen : violent presumptions appeared of his consummating the marriage : it was also proved, that the king was under age when the bull was obtained, and that the petitions given in his name, upon which the bull was granted, were false : that the king had not desired it, but when he came of age he had protested against it : and that there was no hazard of a war between Spain and England, the preventing which, was the chief reason set down in the bull that permitted it. So that all that had been informed at Rome, as to matter of fact, was fully proved before the legates, by clear instruments, and many and noble witnesses.

38. He puts a long bold speech in Campegio's mouth, Ibid.
 who was far from assuming such freedom ; but lived licentiously in England, in all manner of disorders, of which both he and his bastard son were guilty. And by dissembling, and other arts, persuaded the king to delay the process from day to day, giving him full assurances, that in conclusion he should obtain what he desired : and by such means he gained time, and drew out the trial, till the pope had ended his treaty with the emperor, and then he served him an Italian trick, by adjourning the court.

39. He says ; “ Some doctors, being corrupted with the Page 48.
 “ king's money, declared for him ; but those were none of
 “ the most learned.”

The king ordered those he sent, not to give or promise any thing to any person, till they had delivered their opinion freely : upon which some of them wrote to him, that

they would answer upon their heads, that they had followed his orders in that particular.

Page 48. 40. He says; "These determinations were published in the names of the universities, to deceive the world by a false representation of so great authorities."

Were the public seals of the universities put to their determinations, after a long debate, all being required to deliver their consciences upon oath, and done with the unanimous consent of the whole faculty in some places, false representations? This was done in Italy, in Padua, Bononia, Ferrara, and Milan, under the pope and the emperor's eye, and within their dominions.

Page 50. 41. He says; "Endeavours were used to corrupt the university of Colen, and some others in Germany, for which great sums were offered, and that the king was at a vast expense in it."

Crook's accompts shew that his expense in Italy was very inconsiderable. And who can imagine that when Paris, Padua, and Bononia had declared for the king, he would be much concerned for Colen, or any other university in Germany? Those who will believe Sanders, and such authors as he quotes, Cochleus, and an unknown bishop of Brasile, may if they will.

Page 51. 42. He says; "In Oxford the king not being able to obtain a satisfactory answer in that matter, eight students of the university broke into the place where the seal was laid, and put it to an answer, which passed for the determination of the university."

The lord Herbert says, there was an original instrument passed, which he saw: by which the university did appoint a committee of thirty-three doctors and bachelors of divinity, to examine the questions proposed by the king, and to set the seal of the university to any answer that they should agree on: and these did afterwards give a resolution against the lawfulness of the marriage.

Page 52. 48. "He tells a long story of the king's endeavours to gain Reginald Pole, and that he came over to England; and being much pressed by his kindred to comply with

“ the king, he went to him, fully purposed to have done
 “ it : but could not speak a word to him, till he resolved to
 “ talk to him in another style; and then he found his
 “ tongue, and spake very freely to the king, who put his
 “ hands sometimes to his poniard, intending to have killed
 “ him ; but was overcome with the simplicity and humility
 “ of his discourse : and so the king continued his pension
 “ to him, and gave him leave to go back to Padua.”

This is another pretty adventure of one of the *heroes* of the romance, but has this misfortune in it, that it is all without any proof: for as none of the books of that time ever mention it, so neither did Pole himself pretend to have carried so, in his book, though written with the most provoking insolence that was possible. In it he mentions his going over to England, but not one word of any such discourse with the king. And king Henry was not a man of such a temper, as to permit one of Pole's quality to go out of England, and live among his enemies, and continue his pensions to him, if he had to his face opposed him in a matter he laid so much to heart.

44. He says; “ Fisher of Rochester, and Holman bishop Page 53.
 “ of Bristol, wrote for the marriage.”

There was no bishopric, nor bishop of Bristol at that time, nor thirteen years after.

45. “ Many are reckoned up who wrote for the marriage Ibid.
 “ in all nations.”

These are neither to be compared in number nor authority to those who wrote against it; an hundred books were shewed in parliament, written by divines, and lawyers beyond sea, besides the determinations of twelve of the most celebrated universities in Europe. The emperor did indeed give so great rewards, and such good benefices, to those who wrote against the king, that it is a wonder there were not more writers of his side.

46. He says; “ That upon Warham archbishop of Can- Page 56.
 “ terbury's death, the earl of Wiltshire told the king that
 “ he had a chaplain, who was at his house, that would cer-

“tainly serve the king in the matter of his divorce ; upon which Cranmer was promoted.”

Cranmer was no stranger to the king at this time : he was first recommended by the king to the earl of Wiltshire, to be kept in his house ; but was in Germany when Warham died, and made no haste over, but delayed his journey some months. It is true, he was of the mind that the king ought to be divorced ; but this was not out of servile compliance : for when the king pressed him in other things that were against his conscience, he expressed all the courage and constancy of mind which became so great a prelate.

Page 56. 47. He says ; “ That Cranmer, being to swear the oath of obedience to the pope, before he was consecrated, did protest to a public notary, that he took it against his will ; and that he had no mind to keep his faith to the pope, in prejudice to the king’s authority.”

He did not protest that he did it unwillingly, nor was it only to a notary, but twice at the high altar he repeated the protestation that he made ; which was to this effect, that he intended not thereby to oblige himself to any thing, contrary to the law of God, the king’s prerogative, or the laws of the land ; nor to be restrained from speaking, advising, or consenting to any thing that should concern the reformation of the Christian faith, the government of the church of England, and the prerogative of the crown and kingdom.

Page 57. 48. He says ; “ Cranmer did in all things so comply with the king’s lusts, that the king was wont to say he was the only man that had never contradicted him in anything he had a mind to.”

Cranmer was both a good subject, and a modest and discreet man, and so would obey and submit as far as he might without sin : yet when his conscience charged him to appear against any thing that the king pressed him to, as in the matter of the six articles, he did it with much resolution and boldness.

Page 58. 49. He says ; “ The king going over to Calais, carried Anne Boleyn secretly with him.”

He carried her over in great state, having made her marchioness of Pembroke; and in the public interview between him and Francis she appeared with all possible splendor.

50. He says; "After the king's return from France, he Page 59.
"brought the action of premunire against all the clergy."

This is an error of two years; for so long before this voyage to France was that action begun: and the clergy about eighteen months before had made their submission; and obtained their pardon in March 1531, which appears by the printed statutes, and the king went over to France in September 1532; so that it is clear Sanders never looked for any verification of what he wrote.

51. He says; "The king, by an unheard-of tyranny, and Ibid.
"a new calumny, brought this charge against the clergy."

These laws, upon which the charge was founded, had been oft renewed: they were first made under Edward the First, by reason of the papal encroachments that gave the rise to them; they were oft confirmed by Edward the Third, Richard the Second, Henry the Fourth, and Henry the Fifth; with the concurrence of their parliaments, so the charge was neither new or tyrannical.

52. He says; "The clergy submitted to the king, being Ibid.
"betrayed by their metropolitans, Cranmer and Lee."

The submission was made two years before Cranmer was archbishop, in March 1531, and Cranmer was consecrated in March 1533, but at that time Warham sat in Canterbury; as for Lee, he opposed it for some time.

53. He says; "The whole clergy petitioned the king to Ibid.
"forgive their crime, according to that supreme power which
"he had over all the clergy and laity, within his kingdom;
"from whence the king's counsellors took occasion afterwards
"to call him *supreme head*."

The clergy did, in the title of their submission, call the king in formal terms, *supreme head of the church and clergy of England as far as by the law of Christ is lawful*; to which Fisher, with the rest of the convocation, subscribed. And all this was done when More was chancellor.

Page 62.

54. He says ; " When the king went to marry Anne Boleyn, he persuaded Rowland Lee, made soon after bishop of Coventry and Litchfield, to officiate in it, assuring him he had obtained a bull for it from Rome, which was then lying in his cabinet. Upon which Lee, giving credit to what he had, did marry them."

This is another trial of Sanders's wit to excuse Lee, who though at this time he complied absolutely with the king, yet did afterwards turn over to the popish party ; therefore to make him look a little clean, this story must be forged. But at that time all the world saw that the pope and the emperor were so linked together, that Lee could not but know that no such thing was possible. And he was so obsequious to the king, that such arts were needless to persuade him to any thing the king had a mind to.

Page 67.

55. For five pages he runs out in repetition of all those foul lies concerning Anne Boleyn, by which he designed both to disgrace the reformers, who were supported by her, and to defame her daughter queen Elizabeth, which have been before confuted : after that he says, " Queen Katherine, with three maids and a small family, retired into the country."

She had both the respect of a princess dowager, and all the jointure contracted to her by prince Arthur ; so she could not be driven to that straitness : but this must go for an ornament in the fable.

Page 71.

56. He says ; " It was concluded, that Cranmer might be more free to pass sentence, that there should be an oath imposed on the clergy, for paying the same obedience to the king, that they had paid the pope : " upon which he tells a long formal story, for two pages, " that it was resolved to draw Fisher into it, to swear obedience to the king in all ecclesiastical causes, with that exception, as *far as is lawful, according to the word of God* ; which he did, and persuaded others to do it ; and upon this Cranmer, taking the new oath, went and pronounced judgment for divorce."

There is not one tittle of this true, for there was no oath

sworn about the king's supremacy at this time. The story of Fisher is that which was done by the convocation two years before Cranmer's preferment, nor was there any oath taken then, or at this time. It is true, two years after this, Gardiner, Stokesley, and many other bishops, did of their own accord take such an oath; but there was no law for it till the twenty-eighth year of the king's reign.

57. He says; "One Richard Risey (or Rouse, according Page 72. to the Records) was hired by Anne Boleyn to poison "Fisher."

Rouse was boiled alive for poisoning the bishop's family, but did not discover any that set him on it: which none can think but he would have done, if the queen had hired him to it, and had then deserted him, to perish in so horrid a manner.

58. He says; "Cranmer, being by authority of parlia- Page 73. ment freed from his oath to the pope, and bound by a "new one to the king, went now confidently to pronounce "sentence."

The parliament did not put down the pope's authority for eight months after this, and appointed no new oath till three years after; for Cranmer sat in judgment as primate of England, and legate of the apostolic see.

59. He says; "Cranmer carried some bishops with him, Ibid. "and having cited the queen, without hearing her, he gave "sentence against the marriage."

Gardiner, Stokesley, Clark, and Longland, the bishops of Winchester, London, Bath, and Lincoln, went with him. He could not hear the queen, when she would not appear; but he examined all the instruments and evidences that had been brought in the whole process.

60. He says; "The pope would not proceed against the Page 75. "king, till he met with the French king at Marseilles: but "that the English ambassadors did there carry so insolently, "that Francis was ashamed of their behaviour; and desired "the pope to proceed against the king as he thought fit, "and that he should never defend him more, but should "be against him."

Here the romance goes on too grossly, for the pope and the French king agreed at Marseilles to bring this matter to an issue : the pope declared he thought the king's cause was just and right ; and promised, if the king would send a full submission to Rome, he would give sentence in his favour. Upon which the French king sent over the bishop of Paris, who prevailed with the king to do it ; though this afterwards came to nothing. It is true Bonner, who was always officious and forward when there was any thing to be got by it, being sent to Marseilles by the king to deliver an appeal in the king's name to the pope, to the next general council ; and perhaps knowing nothing of the private transactions between the pope and the French king, it being a secret of too great importance to be communicated to such a hot-brained man, did deliver his message to the pope in such provoking language, that the pope talked of throwing him into a boiling cauldron ; and he was fain to fly for it.

Page 76. 61. He says ; “ The pope returning to Italy, after he had “ again most carefully reviewed the whole cause, gave sen- “ tence.”

This was so precipitated, that they would not stay six days beyond the time which they perfix'd, for the return of the messenger that was sent to England ; but despatched that, which by the forms of their court should have been done in three consistories, all in one day.

Page 78. 62. He says ; “ Upon this sentence, the king, being en- “ raged, did command queen Katherine to be only called “ princess, and declared her daughter the lady Mary a bas- “ tard.”

Ibid. Both these were done five months before the pope's sen- tence, and soon after the sentence was pronounced by Cran- mer. And these were the natural consequences of it ; for the marriage being annulled, neither could she be longer a queen, nor her daughter princess any more.

Ibid. 63. He says ; “ The king imprisoned F. Forest a Fran- “ ciscan observant, a most holy and learned man, for con- “ tradicting Latimer, when he was inveighing against the “ pope's authority.”

Concerning this Forest, I have seen an original letter of one List, a friar of the same house, a year after this, that says, Forest was a great scandal to their house, and was very ignorant; and that though he had been much against the king in his marriage, yet he had then insinuated himself into his favour, of which many of the house, who were for the king's cause, had great apprehensions. In the same letter he writes, how cruel they were against any of their brethren, who they thought discovered any thing that was done among them; and that one Rainscroft, a brother, whom they suspected to have informed what passed among them, was cruelly used, and kept in prison till he died; which he chiefly imputes to Forest. This friar swore the king's supremacy, and yet at the same time was persuading others not to do it; and, being questioned upon it, said, he took the oath only with his outward, but not with his inward man; and for that, and his denying the gospel, he was burnt as an obstinate heretic.

64. He says; "Abell, Powel, and Fetherston, were put Page 79.
"in prison because they consulted with the Maid of Kent."

This is only charged upon the former of these, but the two latter are not accused of any such thing.

65. He says; "Elizabeth being born the eighth of Sep- Ibid.
"tember, but five months after the king had publicly mar-
"ried her mother, could not be the lawful issue of that mar-
"riage."

This is a malicious lie, for himself confessed that the king was married to her mother the fourteenth of November, the former year; between which and the eighth of September there were ten months: nor was the king ever after that married publicly to the queen. For what he calls a public marriage was only the shewing her openly as queen. But the design of this lie is so visible, that it needs not be opened.

66. He says; "The king's daughter Mary, who was Ibid.
"then present, could never be induced to think she was the
"king's child."

In the former page he said, Mary was sent to her mother;

and now, forgetting himself too soon, he says, she was present when Elizabeth was born. What Mary's thoughts were, none can tell, but she publicly acknowledged her to be her sister, though she did not use her as one.

Page 80.

67. He says; "Elizabeth Barton, who was famed for her sanctity, and six with her, who thought she was inspired by the Holy Ghost, were accused in parliament."

Those six knew that she was not inspired; and that all that was given out about her was a contrivance of theirs, who had instructed her to play such tricks; as was proved by their own confessions, and other evidences.

Ibid.

68. He says; "They all died very constantly: and on the margent calls them *seven martyrs*."

The nun herself acknowledged the imposture at her death, and laid the heaviest weight of it on the priests that suffered with her, who had taught her the cheat: so that they died both for treason and imposture. And this being Sanders's *faith*, as appeared by *his works*, they were indeed martyrs for it.

Ibid.

69. He says; "More and Fisher having examined her, could see no ground to think she was acted by a fanatical spirit, as it was given out."

It was not given out that she was acted by a fanatical spirit, for that had been more honest; but her spirit was cheating and knavery. More cleared himself, and looked on her as a weak woman, and commonly called her the *silly maid*: but Fisher did disown her, when the cheat was discovered, though he had given her too much encouragement before.

Page 81.

70. He says; "The thing she prophesied came to pass; which was, that Mary should be queen of England."

The thing for which she and her complices were attainted of treason was, that she said, *If the king married Anne Boleyn, he should not be a king a month longer, and not an hour longer in the sight of God, and should die a villain's death.* But it did not serve Sanders's ends to tell this.

Ibid.

71. He says; "The day she suffered, many of the no-

"bility came and swore to the succession of the issue of the king's marriage with queen Anne, before the archbishop of Canterbury, the lord chancellor, and Cromwell."

Both houses of parliament did in the house of lords take that oath, on the day of their prorogation, which was the thirtieth of March, as appears by the second act of the next session: and the nun, with her complices, did not suffer till the twenty-first of April after.

72. He says; "The Franciscans of the Observance, Page 81. chiefly two fathers in London, Elston and Payton, did, both in their sermons and public disputes, justify the king's marriage with queen Katherine."

Elston and Payton were not of London, but of Greenwich. They compared the king to Achab, and said, in the pulpit, to his face, *The dogs shall lick his blood*; with many other such virulent expressions. But to rail at a prince with the most spiteful reproaches that could be was a part of Sanders's *faith*: and so no wonder those pass for confessors, when Elizabeth Barton and her complices are reckoned *martyrs*.

73. He says; "Tonstal bishop of Duresme was ordered Page 82. by the king's messengers not to come to the session of parliament 26. regni, in which the king's supremacy was established."

In this he is safer than in some other stories; for the journals of that session are lost, so the falsehood of this cannot be demonstrated: yet it is not at all likely, that he who justified all that was done in the former session, in which the pope's power was put down, the nomination of bishops annexed to the crown, a reformation of ecclesiastical laws appointed to be made, in defence of all which he wrote afterwards, was now so scrupulous as to be ordered to stay at home. But Tonstal suffering imprisonment in Edward the Sixth's time, it was fit to use some art to shew that he was unwillingly brought to comply with the king.

74. He, to shew God's judgments on the chief instruments Ibid. that served the king, says, "That the duke of Norfolk was by the king condemned to perpetual imprisonment."

This betrays palpable ignorance, since he was attainted of high treason the very day before the king's death, and should have suffered the next day, if the king's death had not prevented it. But since he will descant on the providence of God, he should rather have concluded, that his escaping so narrowly was a sign of God's great care for him.

Page 82.

75. In the session of parliament that met the third of November, (as he describes it, which was the twenty-sixth year of the king's reign,) he says, "Mary the king's daughter was illegitimated, and all her honours were transferred on Elizabeth, and the pope's power put down."

This shews he never looked on our public statutes; otherwise he had seen that these acts passed in the former session.

Page 84.

76. He says; "When the king sent his ambassadors to the French court, Francis would not so much as hear them give a justification of the king's proceedings."

How true this can be, the world may judge, since these two kings continued in a firm alliance eight years after this. And Francis did often treat, both with him and the princes of Germany, about these things, and was inclined to do almost all that he did.

Ibid.

77. He says; "The Lutherans did so abominate the grounds of his separation from Rome, that they could never be induced to approve it;" for which he cites Cochleus, an author of his own kidney.

They did condemn the king's first marriage as unlawful, and thought the pope's dispensation had no force: and so far they approved it. But they had this singular opinion, that he should have continued unmarried as long as queen Katherine lived. Yet in that they were so modest, that they only desired to be excused, as to the second marriage: which, considering that queen Anne favoured their doctrine, and that, by an absolute compliance with what the king had done, they might have secured his protection to themselves, whom otherwise they provoked highly, is an evidence of a strict adhering to what their consciences dictated, that cannot be sufficiently commended.

78. He says; "The king made many write apologies for Page 85.
 " what he did; which some did willingly, being tainted with
 " heresy, others unwillingly, and for fear, as Gardiner and
 " Tonstall."

In this he shews how little judgment he had of the nature of things, when he thinks to excuse their writing for the king, as extorted by force: to have done it through error and mistake was much the softer excuse; but to make them men of such prostituted consciences, as not only to subscribe and swear, but to write with learning and zeal, and yet against their consciences, represents them guilty of unexpressible baseness. Indeed Gardiner was a man like enough to write any thing that might please the king; but Tonstall was a man of greater probity, than to have done so unworthy a thing upon any account whatsoever. But since he mentioned writers, he should have named Longland bishop of Lincoln, Stokesley bishop of London, and above all Bonner, who did officiously thrust himself into the debate, by writing a preface to Gardiner's book, with the greatest vehemence that could be. But the blood he shed afterwards did so endear him to this author, that all past faults were forgiven, and to be clean forgotten.

79. He says; "Five martyrs suffered because they would Page 86.
 " not swear the king's supremacy, according to the law that
 " was then passed."

There was no such law made at that time, nor could any such oath be then put to them. The only oath which the parliament had enacted was the oath of the succession, and the refusing it was only misprision of treason, and was not punishable by death. But it was for denying the king's supremacy, and for writing and speaking both against it and his marriage, that they suffered according to law.

80. He says; "Cromwell threatened the jury, in the Page 87.
 " king's name, with certain death, if they did not bring them
 " in guilty."

Every body that knows the law of England will soon conclude this to be a lie: for no such threatenings were ever made in trials in this nation: nor was there any need at

this time: for the law was so plain, and their facts so clearly proved, that the jury could not refuse to bring them in guilty.

P. 88, 89. 81. He says; "The three Carthusians that suffered were "made stand upright, and in one place, fourteen days together, with irons about their necks, arms, and legs, before "they died;" and then with great pomp he describes their death in all its parts, as if it had been a new-devised cruelty, it being the death which the law appoints for traitors. He tells, that Cromwell lamented that others of them had died in their cells, and so prevented his cruelty. He also adds a long story of the severities against the Franciscans.

All this he drew from his learning in the legend. The English nation knows none of these cruelties, in which the Spanish inquisitors are very expert. I find, by some original letters, that the Carthusians, who were shut up in their cells, lived about a year after this; so if Cromwell had designed to take away their lives, he wanted not opportunities; but it appears from what More writ in his imprisonment, that Cromwell was not a cruel man, but, on the contrary, merciful and gentle. And for the Franciscans, though they had offended the king highly, two of them railing spitefully at him to his face, in his chapel at Greenwich: yet that was passed over with a reproof, from which it appears that he was not easily provoked against them. So all that relation which he gives, being without any authority, must pass for a part of the poem.

Page 91. 82. He says; "The bishop of Rochester was condemned, "because he would not acknowledge the king's supremacy "in ecclesiastical matters."

He was never pressed to acknowledge it, but was condemned for denying it, and speaking against it: for had he kept his opinion to himself, he could not have been questioned. But the denying the king's titles, of which his being supreme head was one, was by the law treason; so he was tried for speaking against it, and not for his not acknowledging it.

Page 93. 83. "He runs out in an high commendation of Fisher, and,

“ among other things, mentions his episcopal and apostolical charity.”

His charity was burning indeed. He was a merciless persecutor of heretics, so that the rigour of the law, under which he fell, was the same measure that he had measured out to others.

84. Sanders will let the world see how carefully he had Page 100. read the legend, and how skilfully he could write after that copy, in a pretty fabulous story concerning More's death ; to whom I will deny none of the praises due to his memory, for his great learning, and singular probity : nor had he any blemish but what flowed from the leaven of that cruel religion, which carried him to great severities against those that preached for a reformation. His daughter Roper was a woman of great virtue, and worthy of such a father, who needed none of Sanders's art to represent her well to the world. His story is ; “ That the morning her father died, “ she went about distributing all the money she had, in “ alms to the poor : and at last was at her prayers in a “ church, when of a sudden she remembered that she had “ forgot to provide a winding-sheet for his body ; but hav- “ ing no more money left, and not being well known in that “ place, she apprehended they would not give her credit : “ yet she went to a linen-draper's shop, and calling for so “ much cloth, she put her hand in her pocket, knowing “ she had nothing in it, but intending to make an excuse, “ and try if they would trust her. But by a miracle she “ found the price of the sheet, and neither more nor less “ was conveyed into her pocket.”

This is such a lively essay of the man's spirit that invented it, that I leave it without any further commentary.

85. He says ; “ Lee, that was not in orders, was sent to Page 105. “ visit the monasteries, who solicited the chastity of the “ nuns.”

He does not mention Leighton and London, the two chief visitors, for Leighton brought in Lee : but they were of the popish party, and Lee was Cranmer's friend, therefore all must be laid on him. He was in orders, and soon after

was made dean of York. I have seen complaints of Dr. London's soliciting the nuns, yet I do not find Lee complained of. But since London was a persecutor of heretics, such a small kindness, as the concealing his name, and the turning the blame over on Lee, was not to be stood on among friends, especially by a man of Sanders's ingenuity.

Page 107. 86. For the correspondence between queen Katherine and father Forest, and the letters that past, since Sanders tells us not a word how he came by them, we are to look on them as a piece of the romance.

Page 114. 87. He says; "Anne Boleyn bore a monstrous and a "misshaped lump of flesh, when the time of her bearing "another child came."

She bore a dead child before the time, says Hall; but there was no great reproach in that, unless made up by Sanders's wit.

Page 115. 88. He lays out the business of Anne Boleyn with so much spite and malice, that we may easily see against whom he chiefly designed this part of his work. He says; "She "was found guilty of adultery and incest."

There was no evidence against her, but only a hear-say from the lady Wingfield: we neither know the credit of that lady, nor of the person who related it in her name. It is true Mark Smeton did confess his adultery with the queen, but it was generally thought he was drawn into it by some promises that were made to him, and so cheated out of his life; but for the queen, and the other four, they attested their innocency to the last: nor would any of those unfortunate persons redeem their lives at so ignominious a rate, as to charge the queen, whom they declared they knew to be innocent; so that all the evidence against her was an hear-say of a woman that was dead, the confession of a poor musician, and some idle words herself spake of the discourses that had passed between her and some of those gentlemen.

Page 116. 89. He says; "Foreigners did generally rejoice at her "fall:" and to prove this, he cites Cochleus's words, that only shew that author's ill opinion of her.

The Germans had so great a value of her, that all their correspondence with the king fell to the ground with her : but he may well cite Cochleus, an author of the same honesty with himself, from whose writings we may with the like security make a judgment of foreign matters, as we may upon Sanders's testimony believe the account he gives of English affairs.

90. He tells us, among other things done by the king, ^{Page 117.} and picks it out as the only instance he mentions of the king's injunction, "That the people should be taught in churches the Lord's Prayer, the Ave, the Creed, and the Ten Commandments, in English."

It seems this author thought the giving these elements of religion to the people in the vulgar tongue a very heinous crime, when this is singled out from all the rest.

91. "That being done, he says, there was next a book ^{Ibid.} published, called *Articles*, appointed by the king's majesty, which were the six articles."

This shews that he either had no information of English affairs, or was sleeping when he wrote this: for the six articles were not published soon after the injunctions, as he makes it, by the same parliament and convocation, but three years after, by another parliament: they were never put in a book, nor published in the king's name; they were enacted in parliament, and are neither more nor less than twenty-five lines in the first impression of that act; so far short come they of a book.

92. He reckons up very defectively the differences between the church of Rome, and the doctrine set forth by the king's authority: but in one point he shews his ordinary wit; for in the sixth particular, he says, "He retained the sacrament of order, but appointed a new form of consecrating of bishops."

This he put in out of malice, that he might annul the ordinations of that time; but the thing is false: for except that the bishops, instead of their oaths of obedience to the pope, which they formerly swore, did now swear to the

king, there was no other change made; and that to be sure is no part of the form of consecration.

Page 120. 93. He resolved once to speak what he thought was truth, though it be treasonable and impious: and says, "Upon these changes, many in Lincolnshire, and the northern parts, did rise for religion, and the *faith of Christ*."

This was indeed the motive by which their seditious priests misled them; yet he is mistaken in the time, for it was not after the six articles were published, but almost three years before it. Nor was it for the faith of Christ, which teaches us to be humble, subject, and obedient; but because the king was removing some of the corruptions of that faith, which their false teachers did impiously call the faith of Christ.

Ibid. 94. He says; "The king did promise most faithfully, that all these things of which they complained should be amended."

This is so evidently false, that it is plain Sanders resolved dexterously to avoid the speaking of any sort of truth: for the king did fully and formally tell them, he would not be directed nor counselled by them in these points they complained of, and did only offer them an amnesty for what was past.

Page 121. 95. "Then he reckons up thirty-two that died for the defence of the *faith*."

They were attainted of treason for being in actual rebellion against the king: and thus it appears that rebellion was the *faith* in his sense; and himself died for it, or rather in it, having been starved to death in a wood, to which he fled after one of his rebellious attempts on his sovereign, in which he was the pope's nuncio.

Page 122. 96. He says; "The king killed the earl of Kildare, and five of his uncles."

By this strange way of expressing a legal attainder, and the execution of a sentence for manifest treason and rebellion, he would insinuate on the reader a fancy, that one of Bonner's cruel fits had taken the king, and that he had killed those with his own hand. The lord Herbert has

fully opened that part of the history, from the records that he saw ; and shews that a more resolved rebellion could not be than that was, of which the earl of Kildare and his uncles were guilty. But because they sent to the pope and emperor for assistance, the earl desiring to hold the kingdom of Ireland of the pope, since the king by his heresy had fallen from his right to it, Sanders must needs have a great kindness for their memory, who thus suffered for his *faith*.

97. He says ; “ Queen Jane Seymour being in hard la- Page 122.
“ bour of prince Edward, the king ordered her body to be
“ so opened by surgeons, that she died soon after.”

All this is false, for she had a good delivery, as many original letters written by her council (that have been since printed) do shew ; but she died two days after of a distemper incident to her sex.

98. He sets down some passages of cardinal Pole's hero- Page 124.
ical constancy ; which being proved by no evidence, and not being told by any other writer, (whom I ever saw,) are to be looked on as the flourishes of the poet to set off his *hero*.

99. He would persuade the world, that the marquis of Page 125.
Exeter, the lord Montacute, and the rest that suffered at that time, died, because they were believed to dislike the king's wicked proceedings ; and that the countess of Sarum was beheaded on this single account, that she was the mother of such a son, and was sincerely addicted to the catholic faith ; and that she was condemned because she wrote to her son, and for wearing in her breast the picture of the five wounds of Christ.

The marquis of Exeter pretended he was well satisfied with the king's proceedings, and was lord steward when the lords Darcy and Hussy were tried, and he gave judgment against them. But it being discovered that he and other persons approved of cardinal Pole's proceedings, who endeavoured to engage all Christian princes in a league against the king, pursuant to which they had expressed themselves, on several occasions, resolved, when a fit opportunity offered itself, to rebel ; it was no wonder if the

king proceeded against them according to law. And for the countess of Sarum, though the legality of that sentence passed against her cannot be defended, yet she had given great offence; not only by her correspondence with her son, but by the bulls she had received from Rome, and by her opposing the king's injunctions, hindering all her tenants to read the New Testament, or any other book set out by the king's order. And for the picture, which was found among her clothes, in having been the standard of the rebellion, and the arms of England being found on the other side of it, there was just ground to suspect an ill design in it.

Page 129. 100. He says; "The images which the king destroyed were, by many wonderful works of God, recommended to the devotion of the nation."

All the wonder in these works was the knavery of some juggling impostors, and the simplicity of a credulous multitude, of which see pag. 486. which being so openly discovered, nothing that had shame in it could speak of them as our author does.

Page 131. 101. He says; "Six and twenty carts, drawn with oxen, were loaded with the riches taken from Thomas Becket's shrine; whom he makes a most glorious martyr, that died for the defence of *the faith*, and was honoured by many miracles after his death."

Other writers have sufficiently shewed what a perfidious, ingrateful, and turbulent priest he was. All these were virtues in our author's opinion, and ingredients in his faith. But he has, in this account of the riches of the shrine, gone beyond himself, having, by a figure of speech very familiar to him, (called lying,) increased two chests (see page 490.) to twenty-six cart-loads.

Page 132. 102. He says; "The sentence which pope Paul gave out against the king, was affixed in some towns, both in France, Flanders, and Scotland: from which he infers, that both the emperor, the French, and Scotch king, did consent to that sentence."

In this he designed an eminent piece of service to the apostolic see, to leave on record an evidence, that three so-

vereign princes had acknowledged the pope's power of deposing kings. But he did ill to name the proofs of his assertion, and had done better to have said simply that it was so, than to have founded it on so ill grounds: as if the affixing papal bulls in a place were an evidence that the princes, in whose dominions it was done, consented to it. He might with the same reason have concluded, that queen Elizabeth consented to the sentence against herself; which it is very like will not be easily believed, though the bull was affixed in London. But all those very princes whom he names, continuing to keep up their correspondence with the king, as well after as before the sentence, is a much clearer demonstration that they despised the pope's sentence.

103. He says; "The king, by his own authority, threw Page 134.
"all the begging orders out of their houses."

The falsehood of this hath appeared already, for they resigned their houses to the king: and of these resignations, though many were destroyed, yet near an hundred are still extant.

104. He says; "The parliament, in the year 1539, gave Ibid.
"the king all the great monasteries."

The parliament passed no such act; all that they did was only to confirm the grants made, or to be made by these houses to the king. It was their surrenders that clothed the king with the right to them. All the tragical stories he tells us that followed upon this are founded on a false foundation.

105. He sets down a form of a resignation, which he says, Page 135.
"all the abbots, and many religious persons, were made to
"sign and set their seals to it."

Among all the resignations which are yet extant, there is not one in this form; for which see page 477.

106. He says; "The king's commissioners, who went Page 136.
"about getting hands to that form, made them believe in
"every house, that all the rest had signed it; and so by
"that, and other persuasions, prevailed with many to set
"their hands to it."

If all the subscriptions had been procured about the same

time, such arts might be suspected; but in a thing that was three years a doing, these tricks could not have served their turn.

Page 136. 107. He says; "They told the monks, that though the king might, by virtue of the act of parliament, seize on their houses and rents, yet he desired rather to do it with their good-will."

In this there are two errors; first, most of these houses were resigned to the king before the act of parliament, see page 471. And next, the act of parliament only confirmed their deeds, but did not give their houses to the king.

Page 137. 108. He says; "The abbots of Glassenbury, Colchester, and Reading, suffered martyrdom because they refused to set their hands to that writing."

There was no such writing ever offered to them; nor was there any law to force them to resign: so they could not suffer on that account; but they were martyrs for Sanders's *faith*, for they were attainted by a legal trial of high treason.

Page 138. 109. "He tells a long story of Whitting abbot of Glassenbury's being brought up to London, to be prevailed with to set his hand to the surrender. Which he still refusing to do, was sent back; and though a book against the king's divorce was found among his papers, which was laid there by those who searched for it; yet that was past over in a chiding: but, as he went home, hearing there was a meeting of the county at Wells, he went thither; and as he was going up to his place on the bench, he was called to the bar to answer some things that were to be objected to him: he was amazed at it, and asked what the matter was? But one told him, he needed fear nothing, for somewhat was only to be done for form to terrify others; upon which he was condemned and sent away to his abbey, little thinking he was so near his end: but when he came near it, a priest was sent to him to take his confession, for they told him he must die immediately; he begged a day or two's respite, but in vain: so they hanged him up in his habit, on the top of

“ the hill near his abbey, and quartered him ; and all this was done in one day.”

This book came out in foreign parts, and was printed at Rome, in the reign of Sixtus the Fifth, who took great pleasure in such executions as he describes this to have been ; which may fall oft out, where the lives of the subjects are wholly at the prince's mercy : but to tell such tales of England, which is so famed over the world for the safety and security the subjects enjoy, and for the regular and legal proceedings in all trials, especially of life and death, was a great error in the poet ; for the decorum of the laws and customs of a place must be observed, when any nation is made the scene of a fable. But as nothing like this can be done by the law of England, so there was nothing of it in this case : the jury that sat on him were men of great credit in the country : when he died he acknowledged his offences, and, with appearance of repentance, begged God's pardon, and the king's : see page 480.

110. After many bitter invectives against Cromwell, for Page 145. which I could never see good evidence, though I cannot disprove them by any convincing arguments, he says, “ That he advised the king to make a law, that persons might be convented and condemned in absence, and without being heard : and that this law first of all fell upon himself.”

There was no such law ever made, only the parliament, by their supreme authority, did attain some in that manner, but no other court might do it. Nor was this first applied to Cromwell ; for a year before his attainder, the countess of Sarum, with a great many more, were so attainted, though she did not suffer till a year after him.

111. He tells many reasons why the king had a mind to Ibid. put away Anne of Cleve : but in this, as in other things, he betrays a profound ignorance of that time ; for every body knew that the king, from the first time he saw her, disliked her, and that he never consummated the marriage.

This is a subject not fit to be long dwelt on ; but if any will compare the account I give of this matter from re-

cords, with Sanders's tale, they will see that he wrote at random, and did not so much as know public transactions.

Page 146. 112. He says; "The king had promised to the emperor, "that he would no longer continue in the Smalcaldick "league; but Cromwell counterfeited the king's hand to a "new confirmation of it; which coming to the emperor's "knowledge, he challenged the king of it, and sent him "over a copy of it; upon which the king disowned it, and "cast it on Cromwell; and that this was the cause of his "fall."

This I believe is one of Sanders's dreams: there is not one word of it in Cromwell's attainder; nor do I find the least shadow of this in some original letters which he wrote to the king for his pardon, in which he answers many of the things laid to his charge. Nor is it likely he would adventure on so bold a thing with such a king; nor could the emperor have that writing in his power as long as the king lived; for it is not to be imagined how he could come by it, till he had taken the duke of Saxony prisoner, which was after this king's death.

Page 148. 113. He says; "When Cromwell was put to death, the "king proceeded to the divorce of Anne of Cleve."

The divorce was judged by the convocation eight days before Cromwell's death, and confirmed in parliament, which was dissolved before he suffered.

Ibid. 114. He says; "The king sent to her, to tell her, he "had a mind to be separated from her; and though he "could proceed more severely against her, since he knew "she was an heretic; yet for her family's sake he left it to "herself to devise any reason for their divorce: upon which "she came next day to the senate, (which may be either the "king's council, or the parliament,) and confessed she had "been married to another before she was married to the "king; and thereupon, by the authority of parliament, he "was divorced, and within eight days married Katherine "Howard."

There are but six gross errors in this period. 1. The king sent not any message to her, nor came there any an-

swer from her, till the sentence of divorce was quite passed.

2. In the original letter with those he sent to her, wrote to him from Richmond, it appears that they used no threatenings to her, but barely told her what was done; to which she acquiesced. 3. She never came from Richmond in all that process, and so made no such declaration in the senate. 4. She did not say that she was married to another, but only that she had been contracted to the prince of Lorrain when she was under age. 5. The parliament did not dissolve the marriage, but only confirmed the sentence of the convocation. 6. The king did not marry Katherine Howard before the 8th of August, and the divorce was judged the 10th of July, a month wanting two days.

115. He says; "The king had consummated the marriage for seven months together." Page 149.

There were but six months between his marriage and the divorce; and in all that while, as they bedded but seldom, so there were very clear evidences brought, that it was not consummated.

116. He says; "The king sent the bishop of Winchester, and sir Henry Knevet, to the diet of the empire; who were ordered to propose to the emperor, that the king might be again reconciled to the see of Rome; to which, he adds, his conscience did drive him: but since the king would not confess his past crimes, nor do penance for them, nor restore the goods of the church, it came to nothing." Page 151.

This is another ornament of the fable, to shew the poet's wit; but is as void of truth, as any passage in Plautus or Terence is. For the king was all his life so intractable in that point, that the popish party had no other way to maintain their interest with him, but to comply, not without affectation in that matter: and when an information was given against Gardiner for his holding some correspondence with the pope's legate at the diet, he got the man who had innocently discovered it, to be put in prison; and said, it was a plot against him to ruin him, which he needed not be so

solicitous about, if his instructions from the king had allowed him to enter on such a treaty.

Page 153.

117. He runs out in a long digression upon the king's assuming the title of king of Ireland; to shew that the kings of England only hold Ireland by the pope's donation.

In this Sanders shews his art, he being to carry the standard of rebellion in that kingdom, to blast the king's right to it. He acknowledges the crown of England had the dominion of Ireland, with the title of *lord of Ireland*, about four hundred years: and certainly if so long a possession does not give a good title, and a prescription against all other pretenders, most of the royal families of Christendom will be to seek for their rights. But he says, it was given by the pope to king Henry the Second; and yet he confesses that he had conquered some parts of it, before that grant was sent him by Hadrian the Fourth. Certainly king Henry the Second had as good a right to take it, as pope Hadrian had to give it: nor was the king's accepting the pope's donation any prejudice to his title: for things extorted, or allowed upon a public error, can have no force when that is openly discovered. If then the superstition of those ages made, that the pope's donation was a great help to any pretender, it was no wonder that kings made use of it; but it were a wonder indeed if they should acknowledge it, after the trick is known and seen by all.

Page 162.

118. After this, and a satire against queen Elizabeth for assuming the title, *defender of the faith*, and a long enumeration of the exactions in the last years of this reign; in which though there is matter enough for severe complaints, yet many of the particulars he mentions are without any proof, and must rest on the author's credit; which, by this time, the reader will acknowledge is not very great. Another long discourse of some length follows, of the misfortunes of the duke of Norfolk, and of all that served the king in his divorce, and in the following actions of his life: from which he infers, that these were effects of a curse from heaven upon all that he did, and on all those that assisted

him: but as the inference is bad, so he forgot to mention those noble families that were raised in his time, and have continued since in great honour; as the Seymours, from whom the dukes of Somerset are descended; the Paulets, from whom the marquis of Winchester derives; the Russels, Wriotheslies, Herberts, Riches, and Cromwells, from whom the earls of Bedford, Southampton, Pembroke, Essex, and Ardglass, have descended; and the Browns, the Petres, the Pagets, the Norths, and the Montagues, from whom the vice-count Montague, the barons Petre, Paget, North, and Montague, are descended. These families have now flourished in great wealth and honour an age and a half; and only one of them has, and that but very lately, determined in the male line: but the illustrious female branches of it are intermixed with other noble families. So that the observation is false, and the inference is weak.

119. He says; "When the king found his strength de- Page 164.
 "clining, he had again some thoughts of reconciling him-
 "self to the church of Rome; which when it was proposed
 "to one of the bishops, he made a flattering answer. But
 "Gardiner moved that a parliament might be called for
 "doing it: and that the king, for the quiet of his own con-
 "science, would vow to do it; of which God would accept
 "in that extremity, when more was not possible to be done.
 "But some of his courtiers coming about him, who were
 "very apprehensive of such a reconciliation, lest they should
 "have been made restore the goods of the church, diverted
 "the king from it: and from this our author infers, that
 "what the king had done was against his conscience, and
 "that so he sinned the sin against the Holy Ghost."

I shall not examine this theological definition of the sin against the Holy Ghost; for my quarrel is not at present with his divinity, but with his history, though it were easy to shew that he is alike at both. But for this story, it is a pure dream; for not only there is no evidence for it, nor did Gardiner in the reign of queen Mary ever own any such thing, though it had been then much for the credit of their cause, especially he being often upbraided with his compli-

ances to this king, for which the mention of his repentance had furnished him with a good answer : but as the tale is told, the fiction appears too plainly ; for a parliament was actually sitting during the king's sickness, which was dissolved by his death, and no such proposition was made in it. The king on the contrary destroyed the chief hopes of the popish party, which were founded on the duke of Norfolk's greatness, by the attainder which was passed a day before he died. And yet Sanders makes this discourse to have been between the king and Gardiner after his fall, and his son's death, between which and the king's death there were only nine days : but besides all this, Gardiner had lost the king's favour a considerable time before his death.

Page 166. 120. He says ; “ The king, that he might not seem never
 “ to have done any good work in his whole life, as he was
 “ dying, founded Christ's Church Hospital in London ;
 “ which was all the restitution he ever made for the monas-
 “ teries and churches he had robbed and spoiled.”

If it had not already appeared, in many instances, that our author had as little shame as honesty, here is a sufficient proof of it. I will not undertake to justify the king, as if he had done what he ought to have done, in his new foundations : but it is the height of impudence to deny things that all England knows. He founded six bishoprics ; he endowed deans and prebendaries, with all the other offices belonging to a cathedral, in fourteen several sees, Canterbury, Winchester, Duresme, Ely, Norwich, Rochester, Worcester, and Carlisle ; together with Westminster, Chester, Oxford, Gloucester, Peterborough, and Bristol, where he endowed bishoprics likewise. He founded many grammar-schools, as Burton, Canterbury, Coventry, Worcester, &c. He founded and endowed Trinity college in Cambridge, which is one of the noblest foundations in Christendom. He also founded professors, in both universities, for Greek, Hebrew, law, physic, and divinity. What censure then deserves our author, for saying, that the hospital of Christ's Church was all the restitution he ever made of the church lands ?

121. He gives a character of the king, which suits very *Ibid.* well with his history, his malice in it being extravagantly ridiculous. Among other things, he says; "The king promoted always learned bishops, Cranmer only being excepted, whom he advanced to serve his lusts."

Cranmer was a man of greater learning than any that ever sat in that see before him, as appears in every thing that he writ: Tonsal was a learned man, and Gardiner was much esteemed for learning; yet if any will compare Cranmer's books of the sacrament, with those the other two writ on the same subject, there is so great a difference between the learning and solidity of the one and the other, that no man of common ingenuity can read them, but he must confess it.

122. He says; "When the king found himself expiring, *Page 170.* he called for a bowl of white wine, and said to one that was near him, *We have lost all*: and was often heard repeating, *Monks, monks*, and so he died."

This was to make the fable end as it had gone on, and it is forged without any authority or appearance of truth. The manner of his death was already told, so it needs not be repeated.

123. He says; "The king by his will appointed the *Page 172.* crown to go to his righteous heirs after his three children, and commanded his son to be bred a true catholic: but his will was changed, and another was forged, by which the line of Scotland was excluded, and they bred his son a heretic."

There was no such will ever heard of; and in all the debates that were managed in queen Elizabeth's reign about the succession, those that pleaded for the Scottish line never alleged this; which, had it been true, did put an end to the whole controversy. It was indeed said, that the will, which was given out as the king's will, was not signed by his hand, nor sealed by his order, but it was never pretended that there was any other will: so this is one of our author's forgeries.

The conclusion.

THUS I have traced him in this History, and hope I have said much more than was necessary to prove him a writer of no credit, and that his book ought to have no authority ; since he was not only a stranger to the public transactions, printed statutes, and the other authentic registers of that time, but was a bold and impudent asserter of the grossest and most malicious lies that ever were contrived. I have not examined all the errors of his chronology, for there is scarce any thing told in its right order, and due place ; nor have I insisted on all the passages he tells, without any proof, or appearance of truth : for as I could only deny these without any other evidence but what was negative, so there are so many of them, that I must have transcribed the greatest part of his book, if I had considered them all. I have therefore only singled out those passages, which I had in the former History demonstrated to be false : and these are both so many and so important that I am sure enough is said to destroy the credit of that author, and of his book, which has too long deceived the world. And what is performed in this first part, will I hope dispossess the reader of any ill impressions the following parts of that work have made on him, concerning the succeeding reigns, of which an account shall be given, as soon as it possibly can be made ready.

I shall esteem my time to have been well employed, and my pains rightly placed, if my endeavours have so good an effect, as to take off the unjust prejudices which some may have conceived at the changes that were then made in religion, or at the beginnings of them ; which being represented by this author, and upon his testimony by many other writers, in such odious characters to the world, are generally so ill looked on.

The work itself was so good, done upon so much reason, managed with such care, directed by such wisdom, and tempered with so great moderation, that those who intended to blast it, did very wisely to load it with some such preju-

dices : for if without these, the thing itself be examined by men of a candid temper and solid judgment, the opposers of it know well where the truth lies ; and on whose side both the scriptures, and the best ages of the primitive church have declared. But it was not fit to put a question of such importance on so doubtful and so dangerous an issue : therefore it was well considered by them, that some popular and easily understood calumnies, to disgrace the beginnings of it, and the persons that were most employed in it, were to be fastened on them : and if these could be once generally received, then men might be alienated from it by a shorter way, than could be done by the dull and unsuccessful methods of reason. Therefore as the cause of our church hath been often vindicated, by the learned books that have been published in it ; and never with more success, and a clearer victory, than of late, in the elaborate writings (which are never to be mentioned but with honour) of the renowned Dr. Stillingfleet ; so I judged it might not be an unuseful and unacceptable work (which though it be of a lower form, and so most suitable to my genius, yet will be of general use) to employ the leisure I enjoy, and the small talent committed to me, in examining and opening the transactions of those times : and if those who read it are dispossessed of their prejudices, and inclined to consider things, as they are now set before them, in a truer light, I have gained my end in it.

The truths of religion need no support from the father of lies. A religion made up of falsehoods and impostures must be maintained by means suitable to itself : so Sanders's book might well serve the ends of that church, which has all along raised its greatness by public cheats and forgeries ; such as the donation of Constantine, and the book of the Decretals ; besides the vast number of miracles and visions that were for many ages made use of by them ; of which even the most disingenuous of their own writers begin to be now ashamed. But the reformation of religion was a work of light, and needs none of the arts of darkness to justify it by. A full and distinct narrative of what was then

done will be its apology, as well as its history. There is no need of artifice, but only of industry and sincerity, to gather together all the remains of that time, and put them in good order.

I am now beginning to look towards the next, and indeed the best part of this work : where, in the first reign, we shall observe the active endeavours of those restorers of religion. The next reign affords a sadder prospect of that work laid in ruins, and the authors of it in ashes ; but the fires that consumed them did rather spread than extinguish that light which they had kindled. And what is fabled of the phenix will be found true of our church, that she rose new out of these ashes, into which she seemed consumed.

Towards the perfecting this History, I hope all that love the subject of it will contribute their endeavours, and furnish every thing that is in their power, which may make it fuller or clearer : so I end with that desire which I made in the preface, that any who have in their hands any papers relating to these times will be pleased to communicate them ; and whatever assistance they give to it shall be most thankfully owned and acknowledged.

THE END OF THE APPENDIX.

ADDENDA.

ADDENDA.

I.

Articles about religion, set out by the convocation, and published by the king's authority. An original.

HENRY the ^aEighth, by the grace of God, king of Eng-
land, and of France, defender of the faith, and lord of Ire-
land, and in earth supream head of the church of England,
to all and singular our most loving, faithful and obedient
subjects, greeting. Amongst other cures committed unto
this our princely office, whereunto it hath pleased God of
his infinite mercy and goodness to call us, we have always
esteemed and thought (as we also yet esteem and think)
this to be most chief, most ponderous, and of most weight,
that his holy word and commandments may sincerely
without lett or hindrance, be of our subjects truly believed,
and reverently kept and observed; and that unity and con-
cord in opinions, namely in such things as ^bdoth concern
our religion, may encrease and go furthward, and all occa-
sion of dissent and discord touching the same be repressed,
and utterly extinguished; for the which cause we being of
late, to our great regret, credibly advertised of such diver-
sity in opinions, as have grown and sprongen in this our
realm, as well concerning certain articles necessary to our
salvation, as also touching certain honest and commendable
ceremonies, rites, and usages in our said church, for an
honest policy, and decent order heretofore of long time
used and accustomed; minding to have that unity and
agreement established through our said church concerning
the premisses; and being very desirous to eschew not only
the dangers of souls, but also the outward inquietness which
by occasion of the said diversity in opinions (if remedy had not

Cotton lib.
Cleop. E. 5.
fol. 59.*

^a Eighth, ^b does

been provided) might perchance have ensued; have not only in our own person many times taken great pain, study, labour and travails, but also have caused our bishops and other the most discreet and best learned men of our clergy of this our whole realm to be assembled in our convocation, for the full debatement and quiet determination of the same: where after long and mature deliberation and disputations, had of and upon the premisses, finally they have concluded and agreed upon the said matters, as well those which be commanded of God, and are necessary to our salvation, as also the other touching the honest ceremonies, and good and politick order, as is aforesaid; which their determination, debatement, and agreement, forasmuch as we think to have proceeded of a good, right and true judgment, and to be agreeable to the laws and ordinances of God, and much profitable for the establishment of that charitable concord and unity in our church of England, which we most desire, we have caused the same to be published, willing, requiring and commanding you to accept, repute, and take them accordingly; most heartily desiring and praying Almighty God, that it may please him so to illumine your hearts, that you, and every of you, may have no less desire, zeal, and love to the said unity and concord, in reading, divulging, and following the same, then we have had and have, causing them to be thus devised, set forth and published. And for because we would the said articles, and every of them, to be taken and understanden of you after such sort, order, and degree as appertaineth accordingly; we have caused by the like assent and agreement of our said bishops and other learned men, the said articles to be divided into two sorts, that is to say, such as are commanded expresly by God, and are necessary to our salvation, and such other, as although they be not expresly commanded of God, nor necessary to our salvation; yet being of a long continuance for a decent order and honest policy, prudently instituted, are for that same purpose and end to be observed in like manner; which ye following, after such sort as we have prescribed unto you, shall not only attain that most charitable unity

and loving concord, whereof shall ensue your incomparable commodity, profit, and lucre, as well spiritual as other ; but also ye conforming your selves, and using these our said articles as is aforesaid, shall not a little encourage us to take further travel, pains and labours for your commodities in all such other matters, as in time to come may happen to occur, and as it shall be most to the honour of God and ours, the profit, tranquillity, and quietness of all you our most loving subjects.

The articles of our faith.

FIRST, As touching the chief and principal articles of our faith, sith it is thus agreed, as hereafter followeth by the whole clergy of this our realm, we will that all bishops and preachers shall instruct and teach our people, by us committed to their spiritual charge, that they ought and must most constantly believe and defend all those things to be true, which be comprehended in the whole body and canon of the Bible, and also in the three creeds or symbols, whereof one was made by the apostles, and is the common creed which every man useth ; the second was made in the holy council of Nice, and is said daily in the mass ; and the third was made by Athanasius, and is comprehended in the psalm *Quicumque vult* ; and that they ought and must take and interpret all the same things according to the self-same sentence and interpretation, which the words of the self-same creeds or symbols do purport, and the holy approved doctors of the church do intreat and defend the same.

Item, That they ought and must repute, hold and take all the same things for the most holy, most sure, and most certain, and infallible words of God, and such as neither ought, ne can be altered or convelled by any contrary opinion or authority.

Item, That they ought and must believe, repute and take all the articles of our faith contained in the said creeds to be so necessary to be believed for man's salvation, that who-soever being taught will not believe them as is aforesaid, or will obstinately affirm the contrary of them, he or they can-

not be the very members of Christ and his spouse the church, but be very infidels or hereticks, and members of the Devil, with whom they shall perpetually be damned.

Item, That they ought and must most reverently and religiously observe and keep the self-same words, according to the very same form and manner of speaking, as the articles of our faith be already conceived and expressed in the said creeds, without altering in any wise, or varying from the same.

Item, That they ought and must utterly refuse and condemn all those opinions contrary to the said articles, which were of long time past condemned in the four holy councils, that is to say, in the council of Nice, Constantinople, Ephesus, and Chalcedonense, and all other sith that time in any point consonant to the same.

The sacrament of baptism.

SECONDLY, As touching the holy sacrament of baptism, we will that all bishops and preachers shall instruct and teach our people committed by us unto their spiritual charge, that they ought and must of necessity believe certainly all those things, which hath been always by the whole consent of the church approved, received and used in the sacrament of baptism; that is to say, that the sacrament of baptism was instituted and ordained in the New Testament by our Saviour Jesus Christ, as a thing necessary for the attaining of everlasting life, according to the saying of Christ, *Nisi quis renatus fuerit ex aqua et Spiritu Sancto, non potest intrare in regnum cælorum.*

Item, That it is offered unto all men, as well infants as such as have the use of reason, that by baptism they shall have remission of sins, and the grace and favour of God, according to the saying^d of John, *Qui crediderit et baptizatus fuerit salvus erit.*

Item, That the promise of grace and everlasting life, which promise is adjoyned unto the sacrament of baptism, pertaineth not only unto such as have the use of reason, but

^c these

^d of St John,

also to infants, innocents, and children; and they ought therefore and must needs be baptized: and that by the sacrament of baptism they do also obtain remission of their sins, the grace and favour of God, and be made thereby the very sons and children of God, insomuch as infants and children dying in their infancy shall undoubtedly be saved thereby, or else not.

Item, That infants must needs be christened because they be born in original sin, which sin must needs be remitted; which cannot be done but by the sacrament of baptism, whereby they receive the Holy Ghost which exerciseth his grace and efficacy in them, and cleanseth and purifieth them from sin by his most secret vertue and operation.

Item, That children or men once baptized, can, ne ought ever to be baptized again.

Item, That they ought to repute, and take all the anabaptists and the Pelagians opinions contrary to the premisses, and every other mans opinion agreeable unto the said anabaptists or the Pelagians opinions in this behalf, for detestable heresies, and utterly to be condemned.

Item, That men or children having the use of reason, and willing and desiring to be baptized, shall by the virtue of that holy sacrament obtain the grace and remission of all their sins, if they shall come thereunto perfectly and truly repentant and contrite of all their sins before committed, and also perfectly and constantly confessing and believing all the articles of our faith, according as it was mentioned in the article before, or else not.

And finally, if they shall also have firm credence and trust in the promise of God adjoyned to the said sacrament, that is to say, that in and by this said sacrament, which they shall receive, God the Father giveth unto them for his Son Jesus Christ's sake, remission of all their sins, and the grace of the Holy Ghost, whereby they be newly regenerated and made the very children of God, according to the saying of Christ and his apostle St. Peter, *Pœnitentiam agite et baptizetur unusquisque vestrum in nomine Jesu Christi in re-*

• them om.

missionem peccatorum, et accipietis donum Spiritus Sancti, and according also to the saying of St. Paul ad Titum 3. Non ex operibus justitiæ quæ fecimus nos, sed secundum suam misericordiam, salvos nos fecit per lavacrum regenerationis et renovationis Spiritus Sancti, quem effudit in nos opulenter per Jesum Christum servatorem nostrum, ut justificati illius gratia hæredes efficiamur juxta spem vitæ eternæ.

The sacrament of penance.

THIRDLY, Concerning the sacrament of penance, we will that all bishops and preachers shall instruct and teach our people committed by us unto their spiritual charge, that they ought and must most constantly believe, that that sacrament was instituted of Christ in the New Testament as a thing so necessary for mans salvation, that no man which after his baptism is fallen again and hath committed deadly sin, can without the same be saved, or ^fattain everlasting life.

Item, That like as such men which after baptism do fall again into sin, if they do not penance in this life, shall undoubtedly be damned; even so whensoever the same men shall convert themselves from the said naughty life, and do such penance for the same as Christ requireth of them, they shall without doubt attain remission of their sins and shall be saved.

Item, That this sacrament of perfect penance which Christ requireth of such manner of persons, consisteth of three parts, that is to say, contrition, confession, with the amendment of the former life, and a new obedient reconciliation unto the laws and will of God, that is to say, exterior acts in works of charity according as they be commanded of God, which be called in scripture *fructus digni pœnitentia*.

Furthermore, as touching contrition, which is the first part, we will that all bishops and preachers shall instruct and teach our people committed by us unto their spiritual charge, that the said contrition consisteth in two special parts, which must always be conjoined together and cannot

^f obtain

be dissevered; that is to say, the penitent and contrite man must first knowledge the filthiness and abomination of his own sin, whereunto he is brought by hearing and considering of the will of God declared in his laws, and feeling and perceiving in his own conscience, that God is angry and displeased with him for the same; he must also conceive not only great sorrow and inward shame that he hath so grievously offended God, but also great fear of God's displeasure towards him, considering he hath no works or merits of his own which he may worthily lay before God, as sufficient satisfaction for his sins; which done, then afterwards with this fear, shame and sorrow must needs succeed and be conjoyned, the second part, viz. a certain faith, trust and confidence of the mercy and goodness of God, whereby the penitent must conceive certain hope and faith that God will forgive him his sins, and repute him justified and of the number of his elect children, not for the worthiness of any merit or work done by the penitent, but for the only merits of the blood and passion of our Saviour Jesus Christ.

Item, That this certain faith and hope is gotten and also confirmed, and made more strong by the applying of Christ's words and promise, of his grace and favour contained in his gospel, and the sacraments instituted by him in the New Testament; and therefore to attain this certain faith, the second part of penance is necessary, that is to say, confession to a priest if it may be had; for the absolution given by the priest was instituted of Christ to apply the promises of God's grace and favours to the penitent.

Wherefore as touching confession, we will, that all bishops and preachers shall instruct and teach our people committed by us to their spiritual charge, that they ought and must certainly believe that the words of absolution pronounced by the priest, be spoken by the authority given to him by Christ in the gospel.

Item, That they ought and must give no less faith and credence to the same words of absolution so pronounced by the ministers of the church, than they would give unto the very words and voice of God himself if he should speak

unto us out of heaven, according to the saying of Christ, *Quorum remiseritis ꝑ peccata, &c. et qui vos audit me audit.*

Item, That in no ways they do contemn this auricular confession which is made unto the ministers of the church, but that they ought to repute the ^b same as a very and expedient and necessary mean, whereby they may require and ask this absolution at the priests hands, at such time as they shall find their consciences grieved with mortal sin, and have occasion so to do, to the intent they may thereby attain certain comfort and consolation of their consciences.

As touching the third part of penance, we will, that all bishops and preachers shall instruct and teach our people committed by us to their spiritual charge, that although Christ and his death be the sufficient oblation, sacrifice, satisfaction, and recompence, for the which God the Father forgiveth and remitteth to all sinners not only their sin, but also eternal pain due for the same; yet all men truly penitent, contrite and confessed, must needs also bring forth the fruits of penance, that is to say, prayer, fasting, almsdeeds, and must make restitution or satisfaction in will and deed to their neighbour, in such things as they have done them wrong and injury in, and also must do all other good works of mercy and charity, and express their obedient will in the executing and fulfilling of God's commandments outwardly, when time, power and occasion shall be ministred unto them, or else they shall never be saved; for this is the express precept and commandment of God, *Agite fructus dignos ꝑ penitentia*; and St. Paul saith, *Debitores sumus*, and in another place he saith, *Castigo corpus meum et in servitutem redigo.*

Item, That these precepts and works of charity be necessary works to our salvation, and God necessarily requireth that every penitent man shall perform the same, whensoever time, power, and occasion shall be ministred unto him so to do.

Item, That by penance and such good works of the same, we shall not only obtain everlasting life; but also we shall

^s peccato,

^b same a very expedient

^t penitentia;

deserve remission or mitigation of these present pains and afflictions in this world, according to the saying of St. Paul, *Si nos ipsi judicaremus, non judicaremur, a Domino*; and Zacharias, *Convertimini ad me et ego convertar ad vos*; et Esaias 58. *frange esurienti panem tuum, &c. tunc ^keris velut hortus irriguus. Hæc sunt inculcanda ecclesiis et ut exercitentur ad bene operandum, et in ^lhiis ipsis operibus exercent et confirment fidem, petentes et expectantes a Deo mitigationem præsentium calamitatum.*

The sacrament of the altar.

FOURTHLY, As touching the sacrament of the altar, we will, that all bishops and preachers shall instruct and teach our people committed by us unto their spiritual charge, that they ought and must constantly believe that under the form and figure of bread and wine, which we there presently do see and perceive ^mby outward senses, is verily, substantially, and really contained and comprehended, the very self-same body and blood of our Saviour Jesus Christ, which was born of the Virgin Mary, and suffered upon the cross ⁿfor our redemption, and that under the same form and figure of bread and wine, the very self-same body and blood of Christ is corporally, really, and in the very substance exhibited, distributed and received of all them which receive the said sacrament; and that therefore the said sacrament is to be used with all due reverence and honour, and that every man ought first to prove and examine himself, and religiously to try and search his own conscience, before he shall receive the same; according to the saying of St. Paul, *Quisquis ederit panem hunc aut biberit de poculo Domini indigne, reus erit ^ocorporis et sanguinis Domini; probet autem seipsum homo, et sic de pane illo edat et de poculo illo bibat; nam qui edit aut bibit indigne, judicium sibi ipsi manducat et bibit, non dijudicans corpus Domini.*

Justification.

FIFTHLY, As touching the order and cause of our justifi-

^k eris velut hortus ^l hiis ^m by our outward ⁿ of ^o corporis
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cation, we will, that all bishops and preachers shall instruct and teach our people committed by us unto their spiritual charge, that this word justification signifieth remission of our sins, and our acceptation or reconciliation into the grace and favour of God, that is to say, our perfect renovation in Christ.

Item, That sinners attain this justification by contrition and faith joyned with charity, after such sort and manner as we before mentioned and declared; not as though our contrition, or faith, or any works proceeding thereof, can worthily merit or deserve to attain the said justification; for the only mercy and grace of the Father, promised freely unto us for his Sons sake Jesus Christ, and the merits of his blood and this passion be the only sufficient and worthy causes thereof; and yet that notwithstanding, to the attaining of the said justification, God requireth to be in us not only inward contrition, perfect faith, and charity, certain hope and confidence, with all other spiritual graces and motions, which, as we said before, must necessarily concur in remission of our sins, that is to say, our justification; but also he requireth and commandeth us, that after we be justified we must also have good works of charity, and obedience towards God, in the observing and fulfilling outwardly of his laws and commandments: for although acceptation to everlasting life be conjoyned with justification, yet our good works be necessarily required to the attaining of everlasting life; and we being justified, be necessarily bound, and it is our necessary duty to do good works, according to the saying of St. Paul, *Debitorum sumus non carni ut secundum carnem vivamus, nam si secundum carnem vixerimus moriemur, sin autem spiritu facta corporis, mortificaverimus, vivemus; etenim quicumque Spiritu Dei ducuntur hi sunt filii Dei:* and Christ saith, *Si vis ad vitam ingredi serva mandata;* and St. Paul ⁹*de malis operibus*, saith, *qui talia agunt regnum Dei non possidebunt.* Wherefore we will that all bishops and preachers shall instruct and teach our people committed by us unto their

^p his om.

⁹ saith, *de malis operibus*,

spiritual charge, ^rand God necessarily requireth of us to do good works commanded by him ; and that not only outward and civil works, but also the inward spiritual motions and graces of the Holy Ghost ; that is to say, to dread and fear God, to love God, to have firm confidence and trust in God, to invoke and call upon God, to have patience in all adversities, to hate sin, and to have certain purpose and will not to sin again, and such other like motions, and vertues : for Christ saith, *Nisi abundaverit justitia vestra plusquam scribarum et pharisæorum, non intrabitis in regnum cælorum* ; that is to say, we must not only do outward civil good works, but also we must have these foresaid inward spiritual motions, consenting and agreeable to the law of God.

Of images.

As touching images, truth it is that the same have been used in the Old Testament, and also for the ^sgreat abuses of them sometimes destroyed and put down ; and in the New Testament they have been also allowed, as good authors do declare. Wherefore we will that all bishops and preachers shall instruct and teach our people, committed by us to their spiritual charge, how they ought and may use them. And first, that ^tthere may be attributed unto them, that they be representers of vertue and good example, and that they also be by occasion the kindlers and ^ustirrers of mens minds, and make men often remember and lament their sins and offences, especially the images of Christ and our Lady ; and that therefore it is meet that they should stand in the churches, and none otherwise to be esteemed : and to the intent the rude people should not from henceforth take such superstition, as in time past it is thought that the same hath used to do ; we will that our bishops and preachers diligently shall teach them, and according to this doctrine reform their abuses, for else there might fortune idolatry to ensue, which God forbid. And as for censuring of them, and kneeling and offering unto them, with other like worshippings, although

^r that

^s greater

^t this

^u firers

the same hath entred by devotion, and fallen to custom; yet the people ought to be diligently taught, that they in no ways do it, nor think it meet to be done to the same images, but only to be done to God, and in his honour, although it be done before the images, whether it be of Christ, of the cross, or of our Lady, or of any other saint beside.

Of honouring of saints.

As touching the honouring of saints, we will that all bishops and preachers shall instruct and teach our people, committed by us unto their spiritual charge, that saints now being with Christ in heaven, be to be honoured of Christian people ²in earth; but not with that confidence and honour which are only due unto God, trusting to attain at their hands that which must be had only of God, but that they be thus to be honoured, because they be known the elect persons of Christ, because they be passed in godly life out of this transitory world, because they already do reign in glory with Christ; and most specially to laud and praise Christ in them for their excellent vertues which he planted in them, for example, of and by them to such as are yet in this world to live in vertue and goodness, and also not to fear to dye for Christ and his cause, as some of them did; and finally to take them, in that they may, to be the advancers of our prayers and demands unto Christ. By these ways and such like, be saints to be honoured and had in reverence, and by none other.

Of praying to saints.

As touching praying to saints, we will that all bishops and preachers shall instruct and teach our people committed by us unto their spiritual charge, that albeit grace, remission of sin and salvation, cannot be obtained but of God only by the mediation of our Saviour Christ, which is only sufficient mediator for our sins; yet it is very laudable to pray to saints in heaven everlastingly living, whose charity is ever

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permanent, to be intercessors, and to pray for us and with us, unto Almighty God after this manner: All holy angels and saints in heaven pray for us and with us unto the Father, that for his dear Son Jesus Christ's sake, we may have grace of him, and remission of our sins, with an earnest purpose, not wanting ghostly strength, to observe and keep his holy commandments, and never to decline from the same again unto our lives end: and in this manner we may pray to our blessed Lady, to St. John Baptist, to all and every of the apostles or any other saint particularly, as our devotion doth serve us; so that it be done without any vain superstition, as to think that any saint is more merciful, or will hear us sooner than Christ, or that any saint doth serve for one thing more than ^z other, or is patron of the same. And likewise we must keep holy-days unto God, in memory of him and his saints, upon such days as the church hath ordained their memories to be celebrated; except they be mitigated and moderated by the assent or commandment of the supream head, to the ordinaries, and then the subjects ought to obey it.

Of rites and ceremonies.

As concerning the rites and ceremonies of Christ's church, as to have such vestments in doing God service, as be and have been most part used, as sprinkling of holy-water to put us in remembrance of our baptism, and the blood of Christ sprinkled for our redemption upon the cross: giving of holy bread to put us in remembrance of the sacrament of the altar, that all Christen men be one body mystical of Christ, as the bread is made of many grains, and yet but one loaf, and to put us in remembrance of the receiving the holy sacrament and body of Christ, the which we ought to receive in right charity; which in the beginning of Christ's church, men did more often receive than they use now a days to do; bearing of candles on Candlemas-day, in memory of Christ the spiritual light, of whom Simeon did prophesie as is read in the church that day: giving of ashes on Ash-Wednesday.

^y may *om.*

^z another,

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to put in remembrance every Christen man in the begining of Lent and penance, that he is but ashes and earth, and thereto shall return; which is right necessary to be uttered from henceforth in our mother-tongue always on the same day: bearing of palms on Palm-Sunday, in memory of receiving of Christ into Jerusalem, a little before his death, that we may have the same desire to receive him into our hearts; creeping to the cross, and humbling our selves to Christ on Good Friday before the cross, and offering thereunto Christ before the same, and kissing of it in memory of our redemption by Christ made upon the cross; setting up the ^asepulture of Christ, whose body after his death was buried; the hallowing of the font, and other like exorcisms and benedictions by the ministers of Christ's church: and all other like laudable customs, rights, and ceremonies be not to be contemned and cast away, but to be used and continued as things good and laudable, to put us in remembrance of those spiritual things that they do signify, not suffering them to be forgotten, or to be put in oblivion, but renewing them in our memories from time to time; but none of these ceremonies have power to remit sin, but only to stir and lift up our minds unto God, by whom only our sins be forgiven.

Of purgatory.

FORASMUCH as due order of charity requireth, and the book of Maccabees, and divers ancient doctors plainly ^bshewen, that it is a very good and charitable deed to pray for souls departed, and forasmuch also, as such usage hath continued in the church so many years, even from the beginning, we will that all bishops and preachers shall instruct and teach our people, committed by us unto their spiritual charge, that no man ought to be grieved with the continuance of the same, and that it standeth with the very due order of ^ccharity, a Christen man to pray for souls departed, and to commit them in our prayers to Gods mercy, and also to cause others to pray for them in masses, and exequies, and to give alms to others to pray for them, whereby they

^a sepulcher

^b shewing,

^c charity, for a

may be relieved,^d and holpen, of some part of their pain : but forasmuch as the place where they be, the name thereof, and kind of pains there, also be to us uncertain by scripture ; therefore this with all other things we remit to God Almighty, unto whose mercy it is meet and convenient for us to commend them, trusting that God accepteth our prayers for them, referring the rest wholly to God, to whom is known their estate and condition ; wherefore it is much necessary that such abuses be clearly put away, which under the name of purgatory hath been advanced, as to make men believe that through the bishop of Romes pardon, souls might clearly be delivered out of purgatory, and all the pains of it, or that masses said at *Scala Cæli*, or otherwhere, in any place, or before any image, might likewise deliver them from all their pain, and send them streight to heaven, and other like abuses.

Signed

Thomas Cromwell.

T. Cantuarien.

Edvardus Ebor.

Joannes London.

Cuthbertus ^c Dunelmens.

Joannes Lincoln.

Joannes Lincoln. nomine
procuratorio pro dom.

Joan. Exon.

Joannes Bathonien.

Hugo Wygornen.

Joannes Roffen.

^f Rich. Cicestren.

Thomas Elien.

Joannes Lincoln. nomine
procuratorio pro dom.

Rowlando Coven. &

Lichfielden.

Joannes Bangoren.

^g Nicholaus Sarisburiens.

Edvardus Hereforden.

Willielmus ^h Norwicensis.

Willielmus Meneven.

Robertus ⁱ Assaphen.

Robertus abbas Sancti Al-
bani.

Willielmus ab. Westmo-
naster.

Joannes ab. Burien.

A Richardus ab. Glasconia.

A Hugo ab. ^k de Redying.

Robertus ab. Malmesbur.

Clemens ab. Eveshamen.

^d and om.

^c Dunelmen.

^f Richardos

^g Nicholas Sarisburien.

^h Norwicen.

ⁱ Assaven.

^k de om.

Johannes ab. de Bello.
 Willielmus ab. S. Petri
 Glocest.
 Richardus ab. Winchel-
 combens.
 Joannes ab. de Croyland.
 Robertus ab. de Thorney.
 Robertus ab. de Waln-
 tham.
 Joannes ab. Cirencest.
 Joannes ab. ¹Texber.
 Thomas prior Coventr.

ford.
 Gabriel ab. de ^aBuckfest-
 tria.
 Henricus ab. de Warde-
 nor.
 Joannes prior de Merton.
 Richardus pr. de Wal-
 singham.
 B Thomas ab. de ^tGerendon.
 Thomas ab. de Stanley.
 Richardus ab. de Bytles-
 den.
 Richardus pr. de ^uLan-
 thoni.

Joannes ab. de ^mOseney.
 B Henricus ab. de ⁿGratiis.
 Anthonius ab. de ^oEyn-
 sham.
 Robertus prior Elien.
 Robertus prior sive ma-
 gister ordinis de ^pSem-
 pringham.
 Richardus ab. de ^qNotte-
 ley.
 Hugo prior de ^rHuntyng-
 don.
 Willielmus ab. de Strat-

Robertus ab. de Thame.
 B Joannes prior de ^sNewe-
 ham.
 Radulphus prior de
^yKyme.
 B Richardus ab. de ^sBruera.
 Robertus ab. de Welhows.
^aBartholameus pr. de ^bO-
 verey.
 Willielmus pr. de ^cBurga-
 veni.
 Thomas ab. de Abendon.

Inferior domus.

C ^dRi. Gwent archidiaconus
 London, & Breck.
 Robertus ^eAldrydge ar-

chid. ^fColecest.
 Thomas ^sBedyll archid.
 Cornub.

¹ Teuxburen. ^m Osney ⁿ Corariis. ^o Eyntham. ^p Semp^r ingham.
^q Notley. ^r Huntingtoun. ^s Buckfestrice. ^t Gerendon *om.* ^u Lanthony.
 Helvenham. ^y Kymme. ^a Brusiza. ^a Bartholamaus ^b Overhey.
^c Burgaveny ^d R. ^e Aldridge ^f Colecest. et procurator cleri. Coven.
 et Litchf. ^s Bedyll

- Richardus ^b Strete archid. gornen.
 Derbiæ.
 Georgius Hennage decanus
 David Pole ar. Salop. Lincoln.
 Richardus Doke archid. Sa- Nilo Spencer procurator cleri
 rum. Norwicen.
 Edmundus Bonner archid. ^m Willmus Knyght archid.
 Leycestræ. Cestriæ.
 Thomas Baghe archid. Surr. Nicolaus Metcalf archid. Rof-
 Gamaliel Clyfton decanus fen.
 Hereford. & proc. capit. ⁿ Willmus Hedge procurator
 Joannes London decanus cleri Norwicen.
 Wallingford. Adam Traves archid. Exon.
 Nicholas Metcalf. ⁱ archid. Richardus Woleman dec.
 Roffens. Wellen.
 Richardus Layton archid. Tho. Brerewood archidia-
 Bucks. can. Bar. procur. capituli
 Hugo Coren proc. cleri He- et cleri Exon.
 reford. Georgius Carew archid. ^o Tot-
 Richardus Sparcheford proc. ton proc. capituli et cleri
 cleri. Hereford. Exon.
 Mauritius Griffith proc. cleri. Thomas Bennet proc. cleri et
 Roffen. capit. Sarum.
 Gulielmus ^k Buckmastre pro- Richardus ^p arche proc. cleri
 curator cleri London. et capit. Sarum.
 Richardus Rawson archid. Petrus ^q Ligham pr. cleri
 Essex. Cant.
 Edmundus Cranmer archid. Edmundus ^r Steward proc.
 Cant. cleri Winton.
 Polidorus ^l Vergilius archid. Joannes Rayne pr. cleri Lin-
 Wellen. coln.
 Richardus Coren archid. Leonardus Savile proc. cleri
 Oxon. archid. Lewen.
 Henricus Morgan procurator Simon Matthew pr. cleri Lon-
 cleri Lincoln. don.
 Petrus Vannes archid. Wy- Lanfrid Ogle archid. Salop.

^b Streetⁱ archid. Roffens. om.^k Buckmastr. procurator,^l Virgilius^m Guilielm. Knightⁿ Gulielmus^o Totten^p archid.^q Lighman^r Stewart

Gulielmus Maye proc. cleri Eliden.	Walterus Cretyng ar. Ba- thonien.
^a Rolandus Phylips proc. ^t ca- pituli eccles. St. Pauli London.	Thomas ^x Bagard procurator cleri Wygornen.
Joannes Bell ar. Glocest.	Joannes Nase proc. cleri Ba- thon. et Wellen.
Richardus Shelton mag. col- leg. de ^u Metyngham.	Georgius ^y Wyndam archid. Norwicen.
Per me Willielmum Glyn. archi. Anglessem.	Joannes ^z Chambre dec. St. Stephani archid. Bedford.
Robertus Evans decan. Ban- goren.	Nicolaus Wilson.

Some observations on the former subscriptions.

- A The abbots of ^aGlastonbury and Reading subscribe with the rest: by which it appears that they complied in the changes that were made, as readily as others did.
- B The abbots writ generally so ill, that it is very hard to read their subscriptions: some of them I could by no means know what to make of.
- C There ^bare 50 of the lower house of convocation: of those there are 25 archdeacons, 4 deans of cathedrals, 3 deans of ^ccollegiate churches, 17 procurators for the clergy, and one master of a college.

II.

Some queries put by Cranmer in order to the correcting of several abuses.

Cotton lib. FIRST, What causes, reasons, or considerations hath or
Cleop. E. 5. might move any man to desire to have the bishop of Rome
fol. 48. restored in any point to his pretended monarchy, or to re-
pugn against the laws and statutes of this realm made for
the setting forth of the kings title of supream head?

2. *Item*, Whether a man offending deadly after he is bap-

^a Rol. Philips ^t capituli om. ^u Melyngham. ^x Bogard
^y Wyndham ^z Chamber ^a Glossenbury ^b are of 50 ^c collegial

tized, may obtain remission of ^d his sins, by any other way than by contrition, through grace?

Item, If the clergy know that the common sort of men 3. have them in an higher estimation, because they are persuaded, that it lyeth in the will and power of priests to remit, or not remit sins at their pleasure, whether in such case the said clergy offend if they wink at this, and voluntarily suffer the people to continue in this opinion?

Item, Whether a sinner being sorry and contrite for his 4. sins, and forthwith dying, shall have as high a place in heaven, as if he had never offended?

Item, Whether any, and what difference may be assigned 5. betwixt two men, whereof the one being very sorry and contrite for his sins dieth without absolution of the priest; and the other which being contrite is also absolved by the priest and so dieth?

Item, If it may appear that the common people have a 6. greater affiance or trust in outward rites and ceremonies than they ought to have, and that they esteem more vertue in images and adorning of them, kissing their feet, or offering candles unto them, than they should esteeme, and that yet the curats knowing the same, and fearing the loss of their offerings, and such other temporal commodities, do rather encourage the people to continue after this sort, than teach them the truth in the premises according to scripture; what the kings highness and his parliament may do, and what they are bound in conscience to do in such case?

Item, Whether now in time of the new law the tithes or 7. tenth be due to curats by the laws of God, or of man; and if the same be due by the laws of man, what mans laws they be?

Item, Whether the clergy only, and none but they ought 8. to have voices in general councils?

Item, Whether the sixth canon of the council of Calce- 9. don, wherein is contained that one clerk may not sue another before any secular judge, but only before his bishop, and such other canons of like effect, have been generally re-

^d his om.

^e or

^f 19th canon in the

ceived or not? and whether the same be contrary to the king's prerogative and laws of this realm, and whether it be expedient that it were declared by the parliament that the said canons being at no time received, especially within this realm, be void and of none effect?

10. *Item*, Of the 24th canon of the said council, wherein is contained that monasteries once consecrated, by the bishop, may not after be made dwelling houses for laymen, whether that canon have been received and observed, and whether the same be against the power of the king and authority of his parliament?
11. *Item*, If it may appear that the bishops have not, ne yet do maturely examine and diligently inquire of the conversation, and learning of such as be ordered or admitted to cures by them, but rather without examination or inquisition indistinctly admit persons unable, whereof ensueth great peril of souls, and innumerable inconveniences otherways, what the king's highness or his parliament ought to do, or may do for reformation in the premisses?
12. *Item*, If such as have deanries, arch-deacouries, & chancelorships, and other offices or promotions of the clergy, use not themselves in their own persons after such sort as the primary institution of ^hthose offices or promotions require, and according to the wills of them that endowed ⁱthe same, what the king and his parliament may do, or ought to do in this case?
13. *Item*, For what causes and to what ends and purposes such offices and promotions of the clergy were first instituted?
14. *Item*, If curates having benefices with cure, for their more bodily ease, refuse to dwell upon any of their said cures, and remain in idleness continually in cathedral or collegial churches upon their prebends, whether it be in this case expedient, that the king's highness or his parliament take any order for the redress of the same?
15. *Item*, Of the sacraments of confirmation, order, matrimony, and extrean unction, what the external signs and in-

^c chanterhips, . ^h these offices of promotion require, ⁱ them, what

ward graces be in every of the said sacraments, what promises be made to the receivers of them by God, and of what efficacy they be of, and ^kevery of them.

III.

Some queries concerning confirmation, with the answers which were given to them by Cranmer, and Stokesley bishop of London. An original.

Whether confirmation be instituted by Christ?

Respon. There is no place in scripture that declareth this sacrament to be instituted of Christ.

First, for the places alledged for the same, be no institutions, but acts and deeds of the apostles.

Secondly, these acts were done by a special gift given to the apostles for the confirmation of God's word at that time.

Thirdly, the said special gift doth not now remain with the successors of the apostles.

What is the external ^lsign?

The church useth *chrisma* for the exterior sign, but the scripture maketh no mention thereof.

What is the efficacy of this sacrament?

The bishop in the name of the church doth invoke the Holy Ghost to give strength and constancy, with other spiritual gifts, unto the person confirmed: so that the efficacy of this sacrament is of such value, as is the prayer of the bishop made in the name of the church.

Hæc respondeo, salvo semper eruditionum et ecclesiæ

^morthodoxæ judicio.

Stokesley's paper.

The first question, *Whether the sacrament of confirmation be a sacrament of the New Testament instituted by Christ?*

To this I answer, That it is.

The second question, *What is the outward sign, and the invisible graces which be conferred in the same?*

To this I answer, That the words *Signo te signo sanctæ*

^k energy of themselves?

^l sign? om.

^m orthodoxu.

Written
with Cran-
mer's hand.
Cotton lib.
Cleo. E. 5.
fol. 83.
82. b.

crucis, et confirmo te, &c. with the consignation, with the [°]chrism, imposition of hands of the prelates, be the signs: and the increase of the gifts of the Holy Ghost, and especially of fortitude, to speak, shew, and defend the faith, and to suffer for the same in case need be.

The third question, *What promises be made of the said graces?*

I answer, That the facts and deeds that be expressed in the books of the apostles, with the effects ensuing, by the imposition of their hands upon them that before had received remission of their sins, joyned with the promises of Christ, made to his church, and the continual belief of the university of the same catholick church from the time of the apostles hitherto, without contradiction of any man (ignorants and suspects of heresie only excepted) maketh us, and in my opinion, without prejudice of other mens [°]opinions, ought to suffice to make all men that hath promised to believe the catholick church, assuredly to think that God hath made the promises of the said grace.

Ego Joannes London. sic respondeo, fretus autoritate et testimonio antiquissimorum, eorumque doctissimorum pariter ac sanctissimorum virorum, et præcipue sanctæ matris nostræ ecclesiæ catholicæ, cui etiam in non expressis in sacra scriptura, non multo minus quam scriptis, fides adhibenda est; nisi tam de baptismo parvulorum, quam de perpetua Deiparæ Virginis integritate, et id genus compluribus, quibus sine salutis periculò nemo discredidit, licebit salva fide contradicere.

IV.

Some considerations offered to the king by Cranmer, to induce him to proceed to a further reformation.

Cotton lib. Cleop. K. 4. PLEASETH it your highness graciously to consider, deeply to ponder and weigh by your high wisdom these considerations following.

° cream,

° opinion,

First, How no great thing is to be determined, principally matters of Christ's religion, without long, great, and mature deliberation.

Secondly, How evil it hath succeeded when in provincial, yea, or yet in general councils, men have gone about to set forth any thing as in the force of God's law, without the manifest word of God, or else without apparent reasons infallibly deduced out of the word of God.

Thirdly, How all christened regions are now full of learned men in the scripture, which can well espie out and judge how things that be, or shall be set forth, are agreeable with scripture or not.

Fourthly, Of what audacity men be of now adays, which will not spare to write against high princes, as well as against private persons, without any respect to their high estates, only weighing the equity or the iniquity of the cause.

Fifthly, How not only men of the new learning (as they be called) but also the very papistical authors, do allow that by the word of God, priests be not forbidden to marry, although they were not ignorant that many expounders of scripture were of the contrary judgment.

Sixthly, How that it is not possible that all learned men should be of one mind, sentence, and opinion, as long as the cockle is mingled with the wheat, the godly with the ungodly, which certainly shall be as long as the world endureth.

Seventhly, How variety of opinions have been occasion of the opening of many verities heretofore taken for heresie, yea, and yet so esteemed and taken of many, in other regions; as namely the usurped authority of the bishop of Rome, hath by that occasion come into light, with the effusion of the blood not of a few, such as were the first stirrers up thereof.

Lastly, There be also other opinions not spoken of, which have made, and yet will make as much variance in your graces realm, as any of them treated of, namely, Whether the holy scripture teacheth any purgatory to us after this life or not? Whether the same scripture teacheth the invo-

cation of dead saints? Whether there be any unwritten verities necessary to be believed, not written in scripture, nor deducted by infallible arguments out of the open places of scripture? Whether there be any satisfactions beside the satisfaction of Christ? Whether free-will by its own strength may dispose it self to grace of a conveniency (as it is said) *de congruo*? Whether it be against scripture to kiss the image of Christ in the honour of him? And generally whether images may be used any other way than your grace setteth forth in your Injunctions?

Whether in consideration of the premises it may please your highness to suspend your judgment for a time, and not to determine the marriage of priests to be against scripture, but rather to put both parts to silence, commanding them neither to preach, dispute, nor openly to talk thereof under pain of—&c. And in case these premises do not move your highness to stay, that then it may please the same to grant that the article of priests marriage may be openly disputed in both universities, under indifferent judges, before it be determined. All the arguments of the contrary party first to be delivered in writing to the defenders, twelve days before the disputation; to the intent they may the more maturely and deliberately make answer to the same; and they that shall enter as defenders into this disputation, to do it under this condition, that if their judges discern them to be overcome, they be right well contented to suffer death, therefore: and if their adversaries cannot prove their purpose, their desire is no more but that it may please your highness to leave your most humble subjects to the liberty that God's word permitteth them in that behalf; and your said humble subjects shall pray unto Almighty God for the preservation of your most royal estate long to continue, to God's glory and honour.

V.

A declaration made of the functions and divine institution of bishops and priests. An original.

As touching the sacrament of holy orders, we will that all bishops and preachers shall instruct and teach our people committed by us unto their spiritual charge.

First, How that Christ and his apostles did institute and ordain in the New Testament, that besides the civil powers and governance of kings and princes, which is called in scripture *potestas gladii*, the power of the sword, there should also be continually in the church militant, certain other ministers or officers, which should have spiritual power, authority and commission under Christ, to preach and teach the word of God, unto his people, to dispense and administer the sacraments of God unto them; and by the same to confer and give the grace of the Holy Ghost, to consecrate the blessed body of Christ in the sacrament of the altar, to loose and absolve from sin, all persons which be duly penitent and sorry for the same; to bind and excommunicate such as be guilty in manifest crimes and sins, and will not amend their defaults; to order and consecrate others in the same room, order and office, whereunto they be called and admitted themselves; and finally to feed Christ's people like good pastors and rectors, as the apostles calleth them, with their wholesome doctrine, and by their continual exhortations and monitions to reduce them from sin and iniquity, so much as in them lyeth, and to bring them unto the perfect knowledge, the perfect love and dread of God, and unto the perfect charity of their neighbours.

Item, That this office, this ministration, this power and authority is no tyrannical power, having no certain laws or limits, within the which it ought to be contained, nor yet none absolute power, but it is a moderate power, subject, determined, and restrained unto those certain limits and

P be also ¶ people, and to

i i 2

Cotton lib.
Cleop. E. 5.
fol. 45.

ends for the which the same was appointed by God's ordinance, which, as was said before, is only to administer and distribute unto the members of Christ's mystical body, spiritual and everlasting things; that is to say, the pure and heavenly doctrine of Christ's gospel, and the graces conferred in his sacraments: and therefore this said power and administration is called in some places of scripture, *donum et gratia*, a gift and a grace; and in some places it is called *claves sive potestas clavium*, that is to say, the keys, or the power of the keys, whereby is signified a certain limited office restrained unto the execution of a special function or ministration, according to the saying of St. Paul in the first chap. of his Epistle to the Romans, and in the fourth chap. of his Epistle to Timothy, and also in the fourth chap. of his Epistle to the Ephes. where he writes in this sentence; *Quum ascendisset Christus in altum, captivam duxit captivitatem, et dedit dona hominibus, dedit autem, alios quidem apostolos, alios vero prophetas, alios vero evangelistas, alios autem pastores ac doctores, ad instaurationem sanctorum, in opus administrationis, in ædificationem corporis Christi, donec perveniamus omnes in unitatem fidei et agnitionis Filii Dei, in virum perfectum, in mensuram ætatis plene adultæ Christi, &c.* That is to say, "When Christ ascended into heaven, he subdued and vanquished very captivity her self, and led or made her thrall and captive, and distributed and gave divers heavenly gifts and graces unto men here in earth; and among all, he made some the apostles, some priests, some evangelists, some pastors and doctors, to the intent they should execute the work and office of their administration, to the instauration, instruction, and edifying of the members of Christ's mystical body: and that they should also not cease from the execution of their said office, until all the said members were not only reduced and brought unto the unity of the faith, and the knowledge of the Son of God, but also that they were come unto a perfect state,

and om. his &c. om. on the om.

“ and full age therein, that is to say, until they were so established and confirmed in the same, that they could no more afterwards be wavering therein, and be led or carried like children, ^yinto any contrary doctrine or opinion, by the craft ^zand subtile perswasion of the false pastors and teachers, which go about by craft, to bring them into erroneous opinions, but that they should constantly follow the true doctrine of Christ’s gospel, growing and encreasing continually by charity unto a perfect member of that body, whereof Christ is the very Head, in whom, if the whole body, that is to say, if every part and member be grown and come unto his perfect estate, not all in like, but every one according to the gift and quality which is deputed unto it, and ^aso be compacted, united, and corporated together in the said body, no doubt but ^bthat whole body and every part thereof shall thereby be made the more perfect and the more strong, by reason of that natural love and charity, which one member so united in the body hath unto the other.” By which words it appeareth evidently not only that St. Paul accounted and numbered this said power and office of the pastors and doctors among the proper and special gifts of the Holy Ghost, but also it appeareth that the same was a limited power and office, ordained specially and only for the causes and purposes before rehearsed.

Item, That this power, office, and administration is necessary to be preserved here in earth for three special and principal causes. First, for that it is the commandment of God it should ^cso be, as it appeareth in sundry places of scripture. Secondly, for that God hath instituted and ordained none other ordinary mean or instrument, whereby he will make us partakers of the reconciliation which is by Christ, and confer and give the graces of his Holy Spirit unto us, and make us the right inheritors of everlasting life, there to reign with him for ever in glory, but only his word and sacraments; and therefore the office and power to minister

^y in ^z or ^a so to be ^b that the whole ^c be so,

the said word and sacraments may in no wise be suffered to perish, or to be abolished, according to the saying of St. Paul, *Quomodo credent in eum de quo non audierunt? Quomodo autem audient sine prædicante? Quomodo autem prædicabunt nisi missi fuerunt? Sicut scriptum est, Quam speciosi super montes pedes evangelizantium pacem, annunciantium bona!* Thirdly, because the said power and office or function hath annexed unto it ^dassured promises of excellent and inestimable things; for thereby is conferred and given the Holy Ghost with all his graces, and finally our justification and everlasting life, according to the saying of St. Paul, *Non me pudet evangelii Jesu Christi, potentia si quidem est Dei ad salutem omni credenti;* that is to say, I am not ashamed of the room and office which I have, given unto me by Christ, to preach his gospel, for it is the power of God, that is to say, the elect organ or instrument ordained by God and endued with such vertue and efficacy, that it is able to give and minister effectually everlasting life unto all those that will believe and obey unto the same.

Item, That this office, this power and authority was committed and given by Christ and his apostles unto certain persons only, that is to say, unto priests ^e or bishops, whom they did elect, call, and admit thereunto by their prayers and imposition of their hands.

Secondly, We will that all bishops and preachers shall instruct and teach our people committed unto their spiritual charge, that the sacrament of order may worthily be called a sacrament, because it is a holy rite, or ceremony instituted by Christ and his apostles in the New Testament, and doth consist of two parts, like as the other sacraments of the church do; that is to say, of a spiritual and an invisible grace, and also ^f of an outward and a visible sign. The invisible gift or grace conferred in this sacrament, is nothing else but the power, the office and the authority before mentioned: the visible and outward sign, is, the prayer and imposition of the bishops hands, upon the person which receiveth the said gift or grace. And to the intent the church of Christ

^d assuredly^e and^f of *om.*

should never be destituted of such ministers, as should have and execute the said power of the keys, it was also ordained and commanded by the apostles, that the same sacrament should be applyed and ministred by the bishop from time to time, unto such other persons as had the qualities which the apostles very diligently & discryve; as it appeareth evidently in the third chap. of the first Epistle of St. Paul to Tim. and ^h the first chapter of his Epistle unto Titus. And surely this is the whole vertue and efficacy, and the cause also of the institution of this sacrament as it is found in the New Testament; for albeit, the holy fathers of the church which succeeded the apostles, ⁱ mindyng to beautifie and ornate the church of Christ with all those things which were commendable in the temple of the Jews, did devise not only certain other ceremonies than be before rehearsed, as ton-sures, rasures, unctions, and such other observances to be used in the administration of the said sacraments, but did also institute certain inferiour orders or degrees, as janitors, lectors, exorcists, acolits, and subdeacons, and deputed to every one of those certain offices to execute in the church, wherein they followed undoubtedly the example and rites used in the Old Testament; yet the truth is, that in the New Testament there is no mention made of any degrees or distinctions in orders, but only of deacons or ministers, and of priests or bishops: nor is there any word spoken of any other ceremony used in the conferring of this sacrament, but only of prayer, and the imposition of the bishops hands.

Thomas ^k Crumwell.

Nicolaus Sarum.

^l Thomas Cantuarien.

^m Edwardus Hereforden.

Edvardus Ebor.

Hugo Wygorn.

Joannes London.

Joannes Roffen.

Cuthbertus Dunelmensis.

Rich. Cicestr.

Joannes Lincoln.

Richardus Wolman.

Joannes Bathoniens.

Joannes Bell.

Thomas Elien.

Willielmus Clyffe.

ⁿ Joannes Bangor.

Robertus ⁿ Aldrydge.

^s discryve; ^h the first chapter of om. ⁱ minded ^k Cromwell.

^l T. ^m Edvardus Hereforden. ⁿ Aldridge.

°Galfridus Downes.	Gulielmus † Bukmastre.
Joannes † Skyppe.	Willielmus Maye.
Cuthbertus Marshall.	Nicolaus Wotton.
Marmaduke Waldeby.	Richardus Cox.
Nicolaus Heyth.	Joannes Redman.
Robertus Oking.	Thomas Robertson.
Rodolphus Bradford.	Thomas Baret.
Richardus Smith.	Joannes Nase.
Simon Matthew.	Joannes Barbar.
Joannes † Pryn.	* Joannes Tyson.

Sacræ theologiæ, juris ecclesiastici et civilis †professores.

VI.

A letter of Melanthon's to persuade the king to a further reformation. An original.

Cotton lib.
Cleop. E. 5.
fol. 244.

S. D. serenissime et inclyte rex, Etsi audieramus Romanum episcopum omnibus artificiis incendere Cæsaris Caroli et regis Gallici animos adversus Britannos et Germanos, tamen quia spero Deum hæc pericula gubernaturum esse, et defensurum tranquillitatem tuam, scripsi in alteris literis de ecclesiarum emendatione, quam si ^utempora sinent rogo ut regia majestas tua suscipiat. Postea adjeci hanc epistolam, non impudentia, sed optimo studio, et amore cum ecclesiarum, cum regiæ majestatis tuæ incitatus: quare per Christum obtestor regiam majestatem tuam ut meam libertatem boni consulat. Sæpe cogito Britannicæ ecclesiæ primordia, et cæteras laudes: hinc enim propagata est doctrina Christiana in magnam Germaniæ et Galliæ partem; imo Britannicæ ecclesiæ beneficium fuit, quod primum Romanæ provinciae liberatæ sunt persecutione. Hæc primum nobis imperatorem pium Constantinum dedit. Magna hæc gloria est vestri nominis. Nunc quoque regia majestas tua primum heroica magnitudine animi ostendit se veritati patrocinaturum esse excussit Romani episcopi tyrannidem, quare ^xve-

° Gilfridus † Skip. ° Pryn. † Bukmastre. † Joannes
Tyson. *om.* † professors. ° tempore x veterum

terem puritatem ecclesiæ vestræ maxime optarim restitui integram. Sed animadverto istic esse quosdam qui veteres abusus ortos aut confirmatos a Romano episcopo adhuc mordicus tenent. Mirum est autem autore abusuū ejecto ipsa tamen venena retineri; qua in re illud etiam periculi est, quod illi ipsi aut eorum imitatores aliquando revocaturi potestatem Romani episcopi videntur, si populus hunc putavit esse magistrum ecclesiarum, incurrunt enim ritus in oculos et admonent de autore, ut Solonis memoria cum legibus Athenis et propagata et jucunda fuit.

Gaudebam igitur in edicto recens istic proposito de religione, promitti publicam deliberationem et emendationem de ecclesiarum ritibus et legibus, eaque sententia mitigavit decreti acerbiter: quanquam enim laudo pietatem, quod errores prohibentur, qui pugnant cum doctrina catholicæ ecclesiæ quam et nos profitemur; tamen doleo ad eas causas adjectum esse articulum, in quo precipitur omnium rituum usitatorum et cælibatus observatio. Primum enim multi transferrent edicti auctoritatem ad stabiliendos abusus missæ. Deinde in universum confirmatur pertinacia eorum ^y qui doctrinæ nostræ sunt iniquiores, et debilitantur studia piorum. Augustinus queritur sua ætate jam duriorem fuisse servitutem Christianam quam Judaicam, quanto erit asperior servitus, si ^zsuperstitiosæ ineptiæ, ut reptatio ad crucem aut res similes, munientur corporum suppliciis? Gerson scribit prodesse piis, qui tamen superstitiosius observant ritus, ut invitentur ad eos violandos, ut usu et exemplo discant superstitionem.

Sed munio tranquillitatem, dices, et nolo dissimilitudine rituum excitari discordias. Ego de piis et modestis loquor qui ^ahumanas traditiones sine tumultibus violant, non de his qui in ^bcœtu publico seditiose tranquillum populum aut concitant aut perturbant. Extant autem antea leges de seditiosis, nec statim violatio inepti et non necessarij ritus judicanda est seditiosa, ^catque hac in re non solum tranquillitatis, sed etiam piarum conscientiarum ratio habenda est:

^y quâ^z superatitiosiores^a humanus^b cœtu^c attamen

est enim tenera res conscientia, facile languescat perculsa potentum iudiciis.

Nec ignoro quosdam novo jam uti genere sapientiæ, excusant abusus et leniunt eos astute affectis interpretationibus, ut habeant speciosam causam cur eos retineant; sicut nefarios abusus excusat autor reformationis Coloniensis, ut campanarum consecrationem et similes imposturas. Quam multa sunt in fabulosis historiis sanctorum, ut Christophori, Georgii, quæ, ut poemata, continent venustissimas allegorias; nec tamen propter has cogendæ sunt ecclesiæ ut illas poeticas personas colant.

Erat in ^e Ægypto sacrum cum fici maturuissent, populus enim in templo edens recentes ^f ficos, addebat canticum his verbis, Dulcis veritas. Huic ritui facile est bellam significationem addere, eumq; accommodare ad laudem verbi Dei, nec tamen propterea hic mos in ecclesias revocandus est; atqui hanc novam sophisticam exoriri passim videmus. Sic in Italia dicuntur abusibus patrocinari, Contarenus, Sadoletus, et Polus cardinalis; nam hi præcipue susceperunt sibi jam has partes defendendæ Romanæ impietatis, et hanc ducunt esse magnam ingenii laudem fucos illinere vitiosis ritibus, putantq; se his ineptiis Dionysii theologiam mysticam renovare. Hæc sophistica, nisi prudentes gubernatores ecclesiarum obsistent, pariet horribilem confusionem religionem, et rursus obruet veritatem. Donec flagitantur humani ritus tanquam necessarii, confirmatur prava opinio de cultu; ideo Paulus tam vehementer non modo opinionem, sed ritus ipsos Leviticos insectatus est, prævidebat enim non excuti posse superstitionem, si ritus manerent, quare gravissime inquit, *Si circumcidimini, Christus vobis nihil proderit.*

Retineatur ergo simplex et perspicua sententia de libertate in adiaphoris, et doceant concionatores quæ scandala vitanda sint; retineantur ritus divinitus instituti, et aliquæ humanæ ^h ordinationes utiles ad bonum ordinem; ut Paulus loquitur, et sit modus cæremoniarum quæ habeant conjunctam gravitatem et elegantiam; decet autem abesse ab ecclesiis

^e Egypto

^f ficos,

^s illinire

^h traditiones

barbariem: cæteri inutiles et inepti ritus non duriter flagitentur.

Deinde quantum periculi adfert conscientiis prohibitio conjugii, nec ignorat regia majestas tua, legem de cælibatu perpetuo tantum Romæ natum esse: extant epistolæ episcopi Tarraconensis ¹ defendentis conjugia presbyterorum in Hispania contra Romanum episcopum. In Germania ante annos quingentos adhuc sacerdotes fuerunt mariti, adeoque ægre tulerunt sibi eripi hanc libertatem, ut in episcopum Moguntinum recitantem edictum Romanum tumultuantes impetum fecerint, quare episcopus fugere coactus recitationem omisit. Erat autor edicti Gregorius septimus qui cuilibet tyrannorum veterum audacia et impietate par fuit. Hic cum longo et funesto bello civili nostros Germanicos imperatores implicuisset, simul etiam ecclesias tyrannide oppressit. Audio et in Anglia sacerdotes fuisse maritos: deniq; notæ sunt historiæ, quæ exempla satis multa continent; quare miror in edicto citari Epistolam ad Corinthios, cum hæc longe aliud tradat de conjugio, ac præcipiat conjugium iis qui non sunt idonei ad cælibatum.

Nec obijcienda sunt vota quæ et expresse pugnant cum divinis mandatis, et trahunt secum multiplicem superstitionem et morum corruptionem; videmus enim qualis sit vita multorum sacerdotum cælibum; itaq; non sine dolore aliquo legi in edicto, quod hi qui uxores duxerunt accusantur levitatis, nam hoc convicio causa nostra prægravari videtur, quæ tamen ecclesiæ necessaria est, ut conjugii dignitas clarius conspiciatur, ut superstitiosi cultus votorum reprehendantur, ut arceantur libidines. Non enim impurus cælibatus, sed honesta et pia conjugum consuetudo, est castitas Deo grata, sicut Christus sua voce divinam conjunctionem appellat conubium, inquiens, *Quos Deus conjunxit*, &c. Discamus Dei ordinationem in natura magnificare, eaque reverenter uti, non fingamus ipsi novos cultus sine verbo Dei; de quo genere Paulus nominatim concionatur, cum ad Timotheum scribens duriter reprehendit eos qui prohibent nuptias.

¹ defendentes

Propheta Daniel insignes notas ^kaddidit antichristo duas, cum ait, Colet deum Maosim argento et auro, et Deum patrum suorum non intelliget, et mulieres non curabit. Hæc quadrant maxime ad Romanos mores: missarum abusus et sanctorum cultus pepererunt immensas opes et regiam potentiam. Nova numina confecta sunt, adorantur aureæ et argentæ statuæ, et auro atque argento ornantur. Deinde accedit lex de cœlibatu, unde magna corruptio morum orta est. Hæ notæ cui genti, cui regno usquam competunt nisi factioni episcopi Romani? qui cum sit antichristus, pio et forti animo ipsius auctoritati et legibus adversandum est.

Porro fœliciter cœpit regia majestas tua quædam emendare, sustulit aliqua idola quæ impie colebantur: obtestor ergo regiam majestatem tuam, ut reliquam impietatem Romanam etiam ex ecclesiis tollat. Exempla testantur ingentibus victoriis ornatos esse reges qui sustulerunt ^lidolatriam, ac sæpe testatur Deus quantopere requirat hunc cultum ut removeantur superstitiones, et pro hoc officio ingentia præmia pollicetur; quare Deus etiam defendet regiam majestatem tuam, si ut Ezechias et cæteri pii reges impios ritus sustuleris. Audit regia majestas tua in Belgico et alibi immanem sævitiam exerceri adversus pios; et hæc tyrannis gignit alia multa vitia, stabilit ^midolatriam, delet veram invocationem, extinguit penitus veram religionem; cumq; desint boni doctores, multi in populo fiunt palam ^{ad eos}. Constat enim pæne ethnicam licentiam esse in Belgico, alii superstitiosi ⁿnatura, fanaticas opiniones anabaptistarum amplectuntur. Talis est in Belgico status, quod quidem floret pace, otio, opibus; adfluunt luxu ditiores, ita se beatos esse putant, nec interea prospiciunt quot pœnæ ipsis impendeant: Deus autem haud dubie tantam impietatem et crudelitatem atrociter puniet. Nollem igitur in regno tuo renovari asperitatem adversus pios, quam ita prohibebit regia majestas tua si edictum leniet et ecclesias constituere perget. Deinde ut etiam ad posteritatem, animi abhorreant a tyrannide Romani episcopi, plurimum refert ^oillas leges tolli, quæ sunt nervi auctoritatis ipsius; magna

^k addit ^l idololatriam, ^m idololatriam, ⁿ uatura, alii fanaticas ^o illis

vero adminicula potentiæ Romanorum episcoporum fuerunt, missarum abusus, et cælibatus, quæ si durabunt aliquando poterunt præbere occasionem iis qui ^p depravati sunt opinionis Romanæ aulæ, ut ad eam rursus inclinationem faciant. Id caveri ^q quantum referat, si doctrinæ puritas conservanda est, satis intelligit regia majestas tua. Verum adhuc est quod Juvenalis de Romana aula scripsit, *hic fiunt homines*, &c. imbuti eo ^r loco malis artibus, contumaciam singularem adversus reges inde referunt, ut multa exempla testantur. Hanc epistolam loquaciorem ac liberiores ut regia majestas tua boni consulat oro. Precor autem Deum et Dominum nostrum Iesum Christum, ut regiam majestatem tuam servet et defendat, ac gubernet ad salutem ecclesiæ. Bene et feliciter valeat regia majestas tua. Ex Francofordia.

Cal. Aprilis 1539.

Regiæ majestatis tuæ

Addictissimus

Philippus Melanthon.

Directed thus on the back ;

Serenissimo et inclyto Angliæ et
Franciæ regi D. Henrico Oc-
tavo Walliæ et Cornubiæ prin-
cipi, capiti Anglicæ ecclesiæ
post Christum supremo,

Principi clementissimo.

VII.

A letter written by the German ambassadors to the king, against the taking away of the chalice, and against private masses, and the celibate of the clergy, &c. An original.

SERENISSIME et potentissime rex, domine clementissime, Cotton lib.
etsi serenissimam regiam majestatem vestram maximorum Cleop. E. 5.
negotiorum mole, tum ad regnum ac provincias proprias fol. 172.
majestatis vestræ pertinentium, tum etiam exterorum regum,

^p depravatæ

^q quantam

^r loci

principum, et potentatum gravissimis causis, quæ ad regiam majestatem vestram pæne quotidie devolvuntur, obrui non ignoremus; nosque pro nostra erga regiam majestatem vestram debita observantia ut par est, nihil minus velimus aut cogitemus, quam serenissimam regiam majestatem vestram vel mittendis literis crebrioribus, vel ulla alia re interturbare et a reipublicæ curis impedire, tamen certis quibusdam de causis, quas serenissimæ regis majestati vestræ probaturos nos speramus, duximus iterum ad serenissimam regiam majestatem vestram literas dandas esse, nihil dubitantes quin vestra serenissima regia majestas eas pro * sua insigni bonitate, sapientia, doctrina, atque favore sincerioris religionis, benigne acceptura sit. Cum enim ab illustrissimis principibus nostris nobis injuncta mandata vestræ serenissimæ majestati jampridem exposuerimus, et præterea postulante majestate vestra cum quibusdam ejusdem reverendissimis et eruditissimis episcopis et theologiæ doctoribus, de articulis religionis Christianæ per duos pæne menses sermones contulerimus, ac Dei beneficio res eo perducta fuerit, ut nihil ambigamus, quin inter serenissimam regiam majestatem vestram et principes nostros, ac eorum in causa religionis confœderatos utrorumq; episcopos, theologos, et subditos firma atq; perpetua concordia in sinceriore evangelii doctrina, in laudem Dei Optimi Maximi, salutem ecclesiæ Christianæ, ac perniciem Romani antichristi, secutura sit, nosque reliquam disputationem de abusibus non expectare queamus, existimavimus non esse alienum ab officio nostro, ut ante discessum nostrum serenissimæ regis majestati vestræ, quæ per Dei gratiam indefessa cura et diligentia sinceram evangelii doctrinam promotam cupit, debitam obsevantiam, atque perpetuum studium nostrum literis nostris testatum relinqueremus, et majestati vestræ nostrorum etiam sententiam de quibusdam articulis abusuum, de quibus majestas vestra post abitum nostrum haud dubie curabit eodem episcopos et theologos pro inquirenda veritate, sermones conferre et disputare, declararemus: nihil ambigentes, quin ea etiam in re serenissima regia majestas vestra

* suo

pro Christi gloria id præstitura sit, ut non tantum doctrinam puram habeat, verum etiam abolitis aliquando impiis cultibus et abusu per Romanum episcopum in ecclesiam introductis, cultus ac cæremonias consentaneas verbo Dei constituat: facile enim serenissima regia majestas vestra pro sua summa sapientia perspicit, non posse unquam doctrinæ puritatem, vel constitui, vel conservari, nisi tollantur è medio etiam hi abusus, qui prorsus et ex diametro, ut dici solet, cum verbo Dei pugnant, et Romani antichristi tyrannidem ac idololatriam, tum pepererunt, tum etiam hactenus conser-
varunt; nam ut radicibus demum resectis, necesse est arbores et herbas penitus exarescere et perire, ita dubium non est, quin impiis Romani episcopi abusu et idolatria, ut fundamento stabilitatis ipsius labefactis et eversis, etiam tyrannis ejusdem prorsus ruitura et interitura sit; quod nisi fiat perpetuo metuendum est, ne levi aliqua occasione iterum repullulescat et tanquam à radice reviviscat.

Sunt vero hæc tria pæne capita et fundamentum tyrannidis et idolatriæ pontificiæ, quibus stantibus, neque doctrina religionis integra permanere, neque unquam Romani episcopi improbissimus dominatus, penitus extirpari poterit: nempe, prohibitio utriusque speciei sacramenti in cœna Domini, missa privata, et interdictio conjugii sacerdotum, quæ quidem usque adeo Dei verbo adversantur, adeoque etiam honestati publicæ repugnant, ut vel ex his solis aper-
tissime intelligi possit Romanum pontificem verum antichristum, et omnis idolatriæ, impietatis, erroris, et turpitudinis, in Christi ecclesiam introductæ auctorem esse; de quibus sane articulis nos pauca quædam serenissimæ regis majestati vestræ optimo studio scribemus, et ejusdem ut regis summa sapientia, acerrimo judicio, et excellenti doctrina præditi, censuræ committemus, persuasissimum nobis habentes vestram majestatem illustrissimam principum nostrorum, et statuum confœderatorum consilium et institutum, in hisce articulis non improbatum esse.

Primum enim, serenissime ac potentissime rex, non existimamus quenquam inficias iturum, quin Christi doctrina, ^{De utraque specie.}

idololatria, idololatriæ idololatriæ, doctrino, mendata,

mandata, et ordinationes omnibus aliis præceptis, traditionibus aut cæremoniis humanis præferri debeant; hic enim cum ipse sit vita et veritas, errare non potest, humana vero omnia, præcipue in rebus divinis, incerta et dubia sunt. Porro constat Christum ipsum utramq; speciem instituisse, cum ait, Bibite ex hoc omnes; et Paulum idem docuisse, cum inquit, 2 Cor. 11. Probet seipsum homo, et sic de pane comedat et poculo bibat. Quibus sane locis, non de una parte ecclesiæ, id est, de sacerdotibus tantum, sed de tota ecclesia mentio fit: nam quod quidam ita argumentantur solis apostolis Christum id dixisse, eaque de causa ^z utramque speciem ad solos sacerdotes pertinere, infirmum admodum est argumentum; quia eadem ratione sequeretur, quod laicis ne altera quidem species danda esset; neque enim alio loco Christus mandavit solum corpus laicis dari, et utramque speciem pro sacerdotibus instituit: sed hoc fatendum est, quod illud mandatum Christi de sacramento, aut ad omnes, hoc est, laicos et sacerdotes pertineat, aut laici prorsus a sacramento corporis ^a Domini etiam arcendi fuerint, cum nusquam alibi in evangelio, nisi tunc cum dedit apostolis simul corpus et sanguinem, sacramentum pro laicis institutum reperiatur; idque ad omnes pertinere Paulus declarat, cum addit, et de poculo bibat, &c. Quod enim dicunt sacramenti divisionem, urgentibus quibusdam causis, ab ecclesia institutam esse, et sub una specie, non minus ^b quam sub utraque contineri, non multum ad rem facit: quis enim non intelligit hic de Christi instituto et mandato agi, idque humanæ auctoritati et opinionibus longe præferendum esse; neque enim ecclesia sumit sibi hanc libertatem ex Christi ordinationibus res indifferentes constituendi; et rationes illæ vel de discrimine ordinum, seu dignitate sacerdotali, vel periculo effusionis et similes, nullo modo tantam queunt vim habere, ut propterea divinæ ordinationes mutandæ sint; neque ulla etiam consuetudo contra mandata Dei introducta, ipsis canonibus pontificiis attestantibus, probanda est. Constat vero usum utriusque speciei, et clarum habere mandatum Christi, et adprobationem sanctorum patrum, ac con-

^z utram; ^a Domini om. ^b quam utrique continere,

suetudinem veteris ecclesiæ; sic enim, inquit divus Hieronymus, sacerdotes qui eucharistiæ serviunt, et sanguinem Christi populis distribuunt; et ^cGelasius pontifex, sacramento corporis et sanguinis Domini divisionem prohibet, eamque grande sacrilegium adpellat.

Adhæc, durat hodie hic mos communionis utriusque speciei in Græcis ecclesiis, quæ hac in re Romani pontificis tyrannidi semper restiterunt, neque ejus jugum recipere voluerunt, et testantur historiæ tum in Germania, tum in multis aliis regionibus ac provinciis, verum communionis usum diu conservatum fuisse, sed tandem fulminibus Romani antichristi, quibus totum pœne orbem terrarum conterruit et subjugavit, homines, ut verisimile est, victi verum eucharistiæ usum mutarunt, ad quem tamen, per singularem Dei gratiam, agnita iterum veritate evangelica cum principes nostri, tum alii evangelii doctrinam profitentes, jam redierunt, et sese ac suos in re universæ ecclesiæ maxime salutifera, tanquam in libertatem, excusso jugo pontificio, vendicarunt et adserverunt. Nam quæ causæ pontificem permoverint, ut contra Christi mandatum et institutum, contra sententiam sanctorum patrum, contra consuetudinem universæ ecclesiæ Christianæ, sacramentum divideret, et laicos sanguine Domini nefarie spoliaret, facile serenissima regia majestas vestra perspicit. Verisimile quidem videtur, eum voluisse suam, sui que ordinis auctoritatem ac dignitatem, ea ratione augere, et hoc discrimen inter laicos et sacerdotes constituere; nam etiam nunc clamitant adversarii, laicos debere esse altera specie contentos; quasi regnum aliquod possideant, et ita imperare ipsis liberum sit, ut etiam Christi beneficium hominibus eripere queant, ad quod potius si suo officio fungi vellent, omnes invitare et pellicere deberent. Sed quid Christo cum Belial? quid pontifici cum Christi instituto, cujus ipse se summum adversarium esse satis declarat, ideoque tum in hoc, tum aliis salutaribus religionis Christianæ articulis oportuit ipsum a scriptura discedere, imo doctrinam evangelio consentaneam damnare, ut

• Gelasius

manifestum fieret, eum esse antichristum, de quo passim scriptura talia prædixit.

De missa
privata.

Porro in altero articulo, de missa privata, adhuc magis adparet a Romano pontifice religionem Christianam adeo oppressam et obscuratam, ut Christi beneficium, qui sua morte nos redemit, solusque est hostia et satisfactio pro peccatis nostris, poenitus sustulerit, et in ejus locum ^didolatriæ cum cultum pro abolendis peccatis in ecclesiam invexerit eamque suis erroribus et prophanationibus miserabiliter implicaverit, turbaverit et deformaverit. Cum enim missa nihil aliud sit, nec esse debeat, quam communio sive synaxis, ut Paulus adpellat, neque etiam alius ejus usus fuerit tempore apostolorum et veteris ecclesiæ, quemadmodum hoc clare ex S. patribus probari potest, plane diversum quoddam opus, prorsus pugnans cum communione et vero missæ usu inde factum est, quod docent ex opere operato, ut loquuntur, mereri gratiam, et tollere peccata vivorum et mortuorum.

Hæc opinio quantopere distet a scripturis, ac gloriam passionis Christi lædat, sereniss. regia majestas vestra facillime judicabit. Si enim hoc verum est, quod missa pro aliis applicari potest, quod peccata tollit et prodest tam vivis quam mortuis, sequitur justificationem ex opere missarum contingere, non ex fide; verum hoc omnino scripturæ repugnat, quæ tradit nos gratis propter Christum per fidem justificari, ac peccata nobis condonari, et in gratiam nos recipi, atque ita non alieno opere, sed propria fide propter Christum, singulos justos fieri: at illi docent alienum opus pro remittendis peccatis alteri ^eadplicari, quod quidem merum est somnium et figmentum humanum, repugnans evangelicæ doctrinæ; nam tunc demum adplicatur gratia per verbum et sacramentorum usum, cum ipsi utimur sacramentis, sed isti pro aliis utuntur, quod perinde est ac si pro aliis baptizarentur. Neque vero potest dici quantopere deformet Christi gloriam opinio illa de missa, quæ ex opere operato conferat gratiam, aut applicata pro aliis mereatur eis remis-

^d idololatriæ

^e adplicari, *om.*

sionem venialium et mortalium peccatorum culpæ et pœnæ ; idque aperte adversari scripturæ, et a vero usu missæ sive communionis longe ^fdiscedere, vel inde liquet, quia missa sive synaxis ideo est instituta, ut fidelis qui utitur sacramento recordetur quæ beneficia accipiat per Christum et erigat ac soletur pavidam conscientiam ; ideoque ibi porrigi debet sacramentum, his quibus opus est consolatione, sicut Ambrosius ait, quia semper pecco, semper debeo accipere medicinam. Atque hic usque ad tempora Gregorii in ecclesia missæ usus fuit, neque antea privatæ missæ cognitæ fuerunt ; quod quidem cum multis aliis patrum sententiis patet, tum Chrysostomi, qui inquit, sacerdotem stare ad altare et alios ad communionem accersere, alios arcere : et ex veteribus canonibus constat, unum aliquem celebrasse missam, a quo reliqui presbyteri et diaconi sumpserunt corpus Domini, sic enim inquit canon Nicenus, Accipiant diaconi secundum ordinem post presbyteros ab episcopo vel presbytero, sacram communionem. Et scribit Epiphanius, in Asia synaxim ter celebratam singulis septimanis, nec quotidianas fuisse missas, eumque morem ab apostolis traditum esse ; qui quidem missæ usus etiam hodie in Græcis parochiis durare dicitur, nam tantum singulis Dominicis diebus et festis, fit ibi una publica missa, privatas vero non habent : fuitque Græce ecclesia hoc nomine longe foelicior quam Latina, quæ meliorem usum cœnæ Domini, synaxis, sive missæ retinuerit, neque vel sacramentum corporis et sanguinis Domini, contra claram evangelii doctrinam dividerit ; ut paulo ante diximus, neque etiam privatas missas sacræ scripturæ acerrime repugnantes, receperit ; cujus quidem rei hanc spotissimum causam fuisse arbitramur, quod Græca ecclesia Romanum episcopum auctorem perversæ et idolatricæ doctrinæ, et omnium pœne ⁱabusuum qui in ecclesiam introducti sunt, pro summo ecclesiæ universalis sive catholicæ capite, nunquam agnoverit.

Sed concedunt quidam adplicationes quæ fiunt in missa pro vivis et mortuis, et item opiniones, quod ex opere operatio gratiam mereri traduntur, non esse probandas, et dis-

^f discedere, ^s potentissimam ^h idolatricæ ⁱ abusum

putant abolitis illis opinionibus impiis, alia ratione missas ^kprivatas retinendas, nempe quia sunt gratiarum actiones, quæ possint ab uno vel a pluribus fieri. Hæc sane ratio videtur aliquam habere speciem, estque σοφὸν παρρησιον, ut inquit Sophocles, quo in causis invalidis, et ut ipse ait, morbidis, utendum sit. Si missa tantum esset gratiarum actio, possit fortassis tali aliquo prætextu colorari; verum constat eam principaliter institutam esse, ut sit sacramentum quod per ministrum alteri exhibeatur, ut accipiens et credens consequatur gratiam. Et hoc quidem principali fine posito, accedit alter de gratiarum actione; quare nullo modo ab institutione Christi recedere, sed modum et formam illius institutiones, et exemplum veteris ecclesiæ sequi et retinere debemus: nulla enim novitas, præsertim in sacramentis, recipienda est, contra formam a Christo traditam, et contra exempla veteris ecclesiæ.

Porro constat privatas missas esse recentes, et a Romanis pontificibus introductas, et ne hodie quidem, ut paulo ante dictum est, in Græcis ecclesiis esse, nisi parochiales diebus festis, cum quibus adhuc manet vestigium communionis: cum igitur contra Dei verbum missa privata introducta sit, eamque humanum tantum et commentitium cultum esse adpareat, quis dubitat quin talis missa, sine ullo periculo omitti possit, imo debeat, cum repugnet evangelio? estque pium et sanctum opus verum missæ sive synaxis usum ecclesiæ restituere ac reddere, quo per Romanum pontificem, hoc est antichristum, multis jam annis miserabiliter privata fuit, qui quidem adhuc mordicus privatas missas tenet, adserit, et defendit. Neque id immerito, facile enim sentit quod labefactata missa privata, labefactetur, imo ^lruat universum ejus regnum et tyrannis, quæ missis illis nititur; ut enim in seminibus causa est arborum et stirpium; ita hujus luctuosissimi dominatus, imperii, tyrannidis, ^mnundinationis et idolatriæ pontificiæ semen fuit superstitio missarum privatarum: nam hæc pepererunt et sustinuerunt, veluti Atlas quidam, totum papatum; ad harum normam omnia redacta sunt, siquidem nihil fuit, quod non missa aliqua expiari

^k privatis^l ruant^m mundinationes et idololatriæ pontificiæ

posse creditum est. His aucupatus pontifex Romanus indulgentias, quibus immensam pecuniam ex toto orbe terrarum prædatus est; hæ monachorum turbas infinitas coacervarunt, cum eorum nullus alius esset usus, quam demurmurandi missas privatas, et alioquin inutile terræ pondus forent. Hæ sunt et fuerunt universa pietas, quam pontifex Romanus profitetur, hanc solam novit ille religionem, quæ in missis privatis consistit; doctrinam enim evangelii non modo non habet, verum acerrime odit et prosequitur, et in summa his missis ipsam prædicationem verbi divini pontifex exterminavit, ut per omnia antichristi munere fungeretur: nam in ^olocum unius concionis verbi, amplius mille missæ privatæ, hoc est, humani et commentitii cultus, contra divinum verbum successerunt; cum non missas fieri sed evangelium prædicare, et sacramenta rite distribuere et administrare, Christus apostolis, quorum illi volunt esse successores, mandaverit.

Curarunt igitur illustrissimi principes nostri, et alii evangelii doctrinam profitentes, principes et status, privatas missas penitus aboleri, et verum missæ usum sive synaxim Christi institutioni, exemplo apostolorum, veteris ecclesiæ ac patrum sententiis conformem, in ecclesiam revocarunt et restituerunt. Quæ quidem missa sive synaxis summa cum reverentia celebratur, servatis pæne omnibus usitatis cæremoniis, quæ non repugnant pietati; et admiscantur Germanicæ sive vernaculæ cautiones ad docendum populum; præcepit enim Paulus, in ecclesia uti lingua intellecta à populo. Porro, quia propter communionem sive usum sacramenti missa instituta est, hi qui sunt idonei et antea explorati, sacramento utuntur; ac dignitas et usus sacramenti, summa diligentia ac cura ex verbo Dei populo commendatur, ut sciant et intelligant homines, quantam consolationem pavidis conscientiiis adferat, ac discant Deo credere, et optima quæque ab eo expectare et petere.

Et hunc quidem sacramenti ^oac missæ usum, scripturæ consentaneum, Deo gratum, et pietati conducibilem esse, serenissima regia majestas vestra facile agnoscit; neque

^a loco ° et

x k 3

enim hic aliquid contra Dei verbum admittitur, imo secundum Christi mandatum et ordinationem, qui hanc sacram communionem ad hunc finem instituit, omnia geruntur: nulla est hic admixta, prava, aut impia opinio, ut in missa privata papistica, cujus finis et institutio cum evangelio pugnat. Nihil hic etiam absque summa reverentia, ordine, et decoro, digno ecclesiae, fieri cernitur: audemusque adfirmare, majore religione hunc verum missae usum exhiberi apud nos, quam hactenus unquam sub papatu privatae missae celebratae fuerint, provocamusque ad testimonia P virorum doctissimorum, qui à majestate vestra missi in illis locis fuerunt, et hæc omnia coram fieri viderunt et audierunt.

Quod enim adversarii clamitant, nostros omnes cultus divinos, omnes caeremonias, omnem denique religionem abolere et labefactare, ea in re principibus nostris, et aliis evangelii doctrinam profitentibus, injuriam faciunt; et hæc eos insigni quadam malevolentia et odio plusquam Vatiniano, ut dici solet, confingere et commisceri clare adparet, cum ex doctrina nostrorum, quam consentientem sacris literis in lucem ediderunt, et scriptis suis universo orbi Christiano promulgarunt, tum etiam exemplis nostrarum ecclesiarum, in quibus nolint velint coguntur fateri, omnia religiosius et sanctius fieri, quam apud ipsos; immo Dei beneficio universus populus non tantum in templis est religiosior, sed in tota disciplina publica modestius se gerit, majoremque erga magistratum civilem, et eos qui ecclesiis præsunt reverentiam et honorem exhibet, quam unquam antea factum fuerit; et hoc sincere evangelii doctrinae acceptum referre debemus, quæ singulos, rectius omnibus pontificiis constitutionibus, sui officii admonet, et sola qua in re vera pietas ac cultus divinus consistat, tradit ac docet.

Porro, quod missae collocatae ad quæstum, ut sub papatu accidit, turpiter prophanentur, quodque hic abusus in omnibus pæne templis latissime pateat, non est obscurum: nam Christi beneficium qui nos pretioso suo sanguine redemit, idque gratuito pro vili stipe et mercede vendere, et tale etiam opus inde constituere velle, quod ex sui natura, hoc

P doctissimorum virorum,

Q nostrorum

R sola in quibus revera

est ex opere operato, mereatur gratiam, et possit adplicari pro peccatis aliorum, mortuorum et vivorum, quis non videt summam esse impietatem? Quid enim est corpus Domini indigne tractare et sumere, si hoc non esset? An potest etiam magis impium quidquam dici, quam illi de missis istis docuerunt? Nempe quod Christus sua passione satisfecerit pro peccatis originis, et instituerit missam, in qua fieret oblatio pro quotidianis delictis mortalibus et venialibus; cum Christus poenitentiam et remissionem peccatorum prædicari mandaverit: missam vero, ^ahoc est synaxim, ad alium plane finem instituerit, viz. ut porrigatur sacramentum his quibus opus est consolatione, et ut per verbum et sacramentum credentes gratiam recipiant, et remissionem peccatorum consequantur, non ut ipsi suum opus, quod quale quale sit, humanum figmentum, humanus cultus est, contra scripturam Deo offerant ac sacrificent. Hoc enim non ^tplacet Deum, ut Christus ipse inquit, se frustra coli mandatis hominum: nam missam non esse tale opus sive sacrificium, quod mereatur gratiam et prosit etiam aliis, inde adparet, quia missa sive synaxis ad hoc est instituta, non ut Deo aliquid offeratur, sed ut communicantes consolationem hauriant, et veluti pignus seu certum signum gratiæ ac bonæ voluntatis Dei erga se recipiant, atque ita recordentur mortis Christi, hoc est, beneficiorum quæ per Christum accipiunt, qui quidem pro nobis mortuus est, solusque pro peccatis nostris satisfecit; idque probant verba ipsa quibus et Christus et Paulus de missa sive synaxi usi sunt.

Primum enim inquit Christus, Hoc est corpus meum, quod pro vobis traditur. Hæc sunt verba promissionis diviniæ quæ solam fidem exigunt, quibusque offertur nobis gratia et remissio peccatorum, ergo non est sacrificium, hoc est, opus quod Deo offeratur et quidem pro abolendis peccatis. Item Paulus ait, Annunciantes mortem Domini: annunciare autem non est sacrificare, hoc est tale opus Deo reddere, quo peccata deleantur. Præterea evangelii textus ita sonat, fregit et dedit discipulis, inquit, accipite et ^ucomedite, &c. item ^xbibite ex hoc omnes, &c. accipere au-

^a hac^t. placet^u comedere^x bibit

κ k 4

tem, comedere et bibere, non est sacrificare, quia hæc opera ex opere operato non delent peccata.

Neque mandatur hisce verbis, ut nos Deo aliquid offeramus, sed potius ut ab eo accipiamus, quia addit, pro vobis traditum, et sanguis qui pro vobis effunditur; quæ verba ostendunt, non exhiberi a sumentibus eucharistiam Deo sacrificium, sed donum hominibus datum. Præterea vero nemo dicit laicos cum sumunt sacramentum, sacrificare: at quantum ad hanc sacram communionem, missam, sive synaxim pertinet, nulla est ratio diversitatis, cum idem Christus uno eodemque tempore ac momento, propter eundem finem et usum, hoc sacramentum absque differentia utentium sacerdotum vel laicorum instituerit. Et quemadmodum prohibitio utriusque speciei, humanum tantum commentum et mandatum est; ita quod de sacrificio missæ ex opere operato gratiam promerente traditur, humana tantum opinio est, contra verbum Dei, à quo in rebus maximis, nempe ad remissionem peccatorum, salutem animarum, et vitam æternam pertinentibus, nullo modo est discedendum: non enim frustra Paulus inquit et bis repetit, Si nos aut angelus de cœlo evangelizet vobis præter id quod evangelizavimus et accepistis, anathema sit.

Præterea nec potest ratio diversitatis assignari ex sacris literis, cur magis dicant eos qui sacramento eucharistiæ fruuntur sacrificare, quam illos qui alio sacramento, ut baptismo, utuntur, cum utrumq; nihil aliud sit, quam ¹sacramentum quæ Christus horum institutor et auctor prorsus ad alium finem, quam ut sint talia sacrificia, qualia illi comminiscuntur, ordinavit. Sed oportuit, Romanum pontificem missas privatas, ad opprimendam Christi, cum ipse hostis est, gloriam ²sic attollere, ut populum Christianum à veritate evangelica et agnitione Christi, et sacramentorum legitimo usu, prorsus abduceret, Christique bonitatem et misericordiam obliteraret. Qui enim missam tale sacrificium esse cogitant, quo Deus placetur, hi non queunt Christi beneficium expendere pro dignitate, et in terroribus ac doloribus iræ et iudicii Dei non habebunt refugium, neque bona

¹ qd.

² sacramenta

³ sic om.

conscientia poterunt dona et signa amoris^b divini agnoscere, si alieno opere Deum placari et peccata remitti sibi persuasum habeant: nam illi ipsi qui nituntur impias opiniones de missa privata excusare, hoc prætextu, quasi missa ideo vocetur sacrificium, quia sit gratiarum actio et sacrificium laudis, hi convincuntur propriis ipsorum testimoniis et scriptis quæ de ^cmissis extant, hæque persuasiones hominum animis etiam hodie de missis privatis inhærent: sic enim Thomas inquit in opusculo de Sacramento Altaris, cur missa instituta sit? Corpus Domini semel oblatum est in cruce, pro debito originali, sic offeratur jugiter pro quotidianis delictis in altari, ^det habeat in hoc ecclesia munus ad placandum sibi Deum super omnia legis sacrificia preciosum et acceptum.

Alexander papa, nihil in sacrificiis ecclesiæ majus esse potest, quam corpus et sanguis Christi, nec ulla oblatio hac potior est, sed omnes præcellit: item ipsa veritas nos instruit, calicem ac panem in sacramento offerre, quando ait, accipite et comedite, nam crimina atq; peccata, oblati his Domino sacrificiis, delentur. Et rursus, inquit, talibus hostiis delectabitur et placabitur Deus, et peccata dimittet ingentia. Gabriel de canon. missæ, sacramentum eucharistiæ veluti sacrificium summo Patri oblatum, nedum veniale sed etiam mortale, non dico sumentium sed omnium eorum pro quibus offertur, et quantum ad reatum culpæ et poenæ, plus vel minus secundum dispositionem eorum pro quibus offertur, tollit: unde Thomas in quarto ^eDist. 1. 2. q. 2. eucharistia in quantum est sacrificium, habet effectum etiam in aliis pro quibus offertur, in quibus non præ-exigit vitam spiritualem in actu, sed in potentia, et ideo si eos dispositos inveniat, eis gratiam obtinet, virtute illius veri sacrificii a quo omnis gratia in nos fluxit, et per consequens peccata mortalia in eis delet, non sicut causa proxima, sed in quantum^f gratiam contritionis eis impetrat.

His et similibus omnes libri scholasticorum pleni sunt, quibus uno ore docent, missam tale esse sacrificium, quo gratiam homines mereantur ex opere operato, quod ad delenda aliorum peccata adplicari possit. Quæ doctrina aut

^b divina^c missa^d ut^e Dic.

potius perversum et impium figmentum, an pugnet cum sacris literis necne? An verum missæ seu communionis usum ^ftradat necne? An Christi beneficium non magis ^tobscuretur quam illustret, imo etiam prorsus tollat? Vestræ serenissimæ regis majestati dijudicandum relinquimus quæ pro sua sapientia, et non tantum in rebus politicis, sed etiam sacris et in omni genere doctrinarum acerrimo iudicio, facile censebit, ^hjustissimam causam habuisse principes nostros et alios evangelii doctrinam profitentes, missas privatas abrogandi, et verum missæ sive communionis usum, pro Christi gloria et consolatione totius ecclesiæ Christianæ, restituendi et revocandi, postquam ex Dei verbo cognoverunt, quantum privatæ missæ à veritate evangelica distent, quantumq; in iis insit impietatis et ⁱidolatriæ: fuit enim unicum sacrificium propitiatorium in mundo, viz. mors Christi, qui, ut Paulus inquit, semel est pro nobis oblatus, et factus hostia pro peccatis nostris, quod cætera legis sacrificia propitiatoria significarunt, quæ similitudine quadam, ^kerant satisfactiones redimentes justitiam legis, ne ex politia excluderentur illi qui peccaverant, eaque cessaverunt post revelatum evangelium: in Novo ^lenim Testamento, necesse est cultum tantum esse spirituales, hoc est, justitiam fidei et fructus fidei, quia adfert justitiam et vitam spirituales et æternam, juxta ^millud, dabo legem meam in cordibus eorum; et Christus ait, veri adoratores adorabunt Patrem in spiritu et veritate, i. e. vero cordis adfectu, qua de causa abrogati sunt Levitici cultus, quod debeant succedere cultus spirituales mentis, et horum fructus ac signa; ut in Epistola ad Hebræos manifeste docetur.

Ex quibus omnibus sequitur missam non esse sacrificium, quod ex opere operato mereatur, ⁿfacienti vel aliis remissionem peccatorum, ut illi docuerunt. Et quocunque quidam fuco nitantur excusare missas privatas, semper eis refragatur et reclamat doctrina ipsorum de missa, qua eam aliis posse ^oadplicari tradiderunt, et peccata delere hominibus persuaserunt. Hæc opinio nisi restituto vero missæ

^f tradit
enim om.

^s obscurit
^m illud om.

^h justissima
^a faciente

ⁱ idololatriæ:
^o adplicare

^k erant

usu, nunquam ex animis hominum delebitur, sed perpetuo manet et redit is error, quod oporteat talem esse cultum in ecclesia, quo Deus placetur.

Et ut videatur fictione juris, Put jureconsulti loquuntur, missam posse vocari sacrificium memoriale sive laudis: at cum id non sit satisfactorium pro facientibus, vel adplicabile pro aliis, quo quis mereatur remissionem peccatorum, quorum attinebit, relicto vero ejus usu et institutione, id in ecclesiam introducere, ubi propter nullam humanam rationem, commentum, aut opinionem, à Christi mandato et ordinatione, est discedendum? Eadem enim ratione; natalis Domini [¶] aut similia festa, quæ in Christi memoriam celebrantur, sacrificia memorialia sive eucharistica dici possent; imo talia sacrificia verius sunt, evangelii prædicatio, fides, invocatio, gratiarum actio, afflictiones, [¶] et omnia alia bona opera sanctorum, quæ tamen nullo modo dici possunt aut debent satisfactiones, aut adplicationes pro aliis; et missæ principalis finis, ut supra disseruimus, is est, ut sit sacramentum, quod per ministrum alteri exhibeatur, quare non potest dici sacrificium; cum nemo ignoret magnum inter sacrificia et sacramenta discrimen esse, his enim nos dona à Deo oblata accipimus, illis vero [¶] opus nostrum Deo reddimus et offerimus.

Neque vero habent privatæ missæ alios auctores quam pontifices, qui à tempore Gregorii, nunc hanc, nunc illam cæremoniam, cantionem, aut orationem, singuli pro sua sanctitate et opinione adjecerunt, ut historiæ uno consensu testantur, donec [¶] tandem, egregium illud opus, dignum istis auctoribus exædificarunt, et relicto vero missæ sive communionis usu, ac obliterateda doctrina de Christo, universa ecclesia missis privatis in qua sola omnem pæne sanctitatem posuerunt, repleta et obruta fuit.

Hæc serenissime ac potentissime rex nostrorum principum et aliorum imperii ordinum, evangelicam doctrinam profitentium, theologi et doctores, justis voluminibus explicarunt,

[¶] ut *om.*

[¶] et

[¶] et omnia alia bona opera sanc-

torum, quæ tamen nullo modo dici possunt aut debent satisfactiones, aut *om.*

[¶] opus *om.*

[¶] eandem,

quæ quidem hac epistola nos breviter attingenda duximus; non quod serenissimam regiam majestatem vestram hæc latere penitus putemus, neq; enim ignoramus serenissimæ regis majestati vestræ et veterum et recentium scripta, de his et aliis controversiis ecclesiasticis diligentissime cognita esse, de quibus etiam majestas vestra sapientissime, eruditissime sæpe cum doctis viris conferre et disputare solet: sed hæc ideo fecimus ut majestati vestræ, quam posset fieri brevissime, occasionem et causas quasdam abolitarum, privatarum missarum apud nos, summa cum observantia ut decet exponeremus; et adversariorum calumnias, quibus cum apud regiam majestatem vestram, tum alias, undecunque quæsitæ et arrepta occasione, variis technis et figmentis, doctrinam sinceriores gravare et in odium omnium perducere conantur, declinaremus.

Neque vero ambigimus, quin majestas vestra, ut rex eruditissimus et veritatis evangelicæ amantissimus, facillime judicabit, quod non temere privatæ missæ apud nos abrogatæ sint, sed justissimis et firmissimis rationibus, ex Dei verbo quod solum errare non potest, sincere et absque sophistica deductis, pro conservanda et illustranda Christi gloria, et hominum salute id factum esse: et opponantur qualescunq; excogitari possint cavillationes et sophismata, tamen adparebit nostros hoc agere quod sit tutius, dum retinent modum et formam institutionis Christi. Ac maxima pars sacerdotum sua sponte apud nos desiit missas privatas celebrare, posteaquam intellexerunt ex evangelica doctrina, quantum in iis erroris et impietatis esset; et plurimi ac doctissimi quique, qui sacerdotia aut parochias sub magistratibus alienis à sincera evangelii doctrina tenebant, ea deseruerunt, ne coerentur facere contra suas conscientias, seque ad ea loca in quibus evangelii doctrina libere prædicatur contulerunt; gravissimum enim est quenquam in re præsertim tali quæ Dei gloriam lædit ac divino verbo repugnat, tanquam ad cultum divinum adigi et compelli.

Sed ne serenissimæ regis majestati vestræ prolixitate litterarum simus molesti, desinemus plura de hoc articulo impresentiarum disserere.

Restat tertius locus instituti argumenti, viz. de conjugio De conjugio sacerdotum. sacerdotum, quod itidem Romanus episcopus contra scripturam, contra leges naturæ, et contra omnem honestatem prohibuit, ac multorum peccatorum, acclerum et turpitudinis occasionem præbuit: sed ^ufortassis ne possit dubitari eum esse Christi adversarium, de quo cum illam ipsam prohibitionem, tum alia quædam quæ in illum solum adperte quadrant, scriptura clare prædixit, oportuit eum talem legem cœlibatus sacerdotalis sancire, ut sicut leo ex unguibus, ita papa, hoc est, antichristus, ab hac prohibitionem sanctissimi et in omnibus honorabilis conjugii, agnosceretur; sic enim Paulus inquit, Spiritus autem manifeste dicit, quod in novissimis temporibus discedent quidam à fide, attendentes spiritibus erroris et doctrinis dæmoniorum, in hypocrisi loquentium mendacium, cauteriatam habentium conscientiam suam, prohibentium nubere: hæc si non in Romanum episcopum congruunt, in quem alium convenient? nemo enim alius quam ipse conjugium sacerdotibus injustissime eripuit, et cœlibatum impurissimum sub specie sanctitatis, et, ut Paulus ait, in hypocrisi et per mendacium introduxit.

Scriptura * quidem non minus sacerdotibus, quam alterius sortis hominibus matrimonium liberum permittit, sunt enim de eadem carne, quæ totum genus humanum vestit et continet, nati: non possunt igitur naturam suam mutare, non possunt carnem abjicere, nec absque singulari Dei dono cœlibes vivere, nam non quilibet, ut Christus inquit, capit verbum hoc; et Paulus, propter fornicationem unusquisque suam uxorem habeat; et peculiariter de sacerdotibus ait, constituas per civitates presbyteros sicut disposui tibi, si quis sine crimine est, unius uxoris vir, filios habens fideles, non in accusatione luxuriæ; item, oportet episcopum esse irreprehensibilem, unius uxoris virum: patet igitur hanc prohibitionem non ex jure divino, sed potius contra sacram scripturam ⁊ decretam esse.

At solet à quibusdam pontificiis defensoribus opponi, quod licet conjugium sacerdotum non videatur vetitum divinis literis, tamen sacerdotes à veteribus temporibus in hunc

* fortasse

* quidem om.

⁊ decretum

usq; diem in cœlibatu vixisse, eaq; de causa addunt non esse discedendum hac in re à tali exemplo, neq; permittendum conjugium sacerdotibus. His, serenissime ac potentissime rex, adperite refragantur historis, tum ecclesiasticis tum aliis, ex quibus clare patet, episcopos et sacerdotes veteribus temporibus conjugatos fuisse.

Primum enim Spiridion Cyprius episcopus, vir unus ex ordine prophetarum, ut historia ecclesiastica ait, uxorem habuit ex qua filiam nomine Irenen suscepit; deinde ordine pæne omnes episcopi uxorati fuerunt, quorum plurimi filii postea, tum Romani, tum alii episcopi creati sunt: fuit enim Sylverius papa Hormisdæ episcopi filius, papa Theodorus Theodori episcopi Hierosolymitani, papa Adrianus secundus Talari episcopi, Joannes decimus papa, Sergii papæ, Gelasius Valerii episcopi, papa Joannes decimus quintus Leonis presbyteri filius; et ne omnes enumeremus, patet vel unica historia Polycratis, ex cujus parentibus septem fuerunt per ordinem episcopi, ipse vero fuit octavus: at non est credibile omnes illos ex * illegitimis nuptiis prognatos esse, cum ipsi canones et decreta synodorum doceant, conjugia sacerdotum esse licita; sic enim inquit canon apostolorum, si quis docuerit sacerdotem sub obtentu religionis propriam uxorem contemnere, anathema sit.

Item extat præclarum exemplum de Paphnutio confessore, qui universæ synodo Nicenæ prohibitionem conjugii dissuasit, et obtinuit ne hac ex parte sancitum, sed hoc in uniuscujusque voluntate non necessitate permissum fuerit. Quæ historia etiam in jure pontificio recensetur, extatque decretum quoddam sextæ synodi, in quo palam damnatur prohibitio conjugii sacerdotalis.

Sed objicitur iterum, propter votum castitatis, quod sacerdotes præstiterunt, non posse eis permitti nuptias. Hoc quale votum sit, quamque obligatorium, quod sine peccato servari non potest, serenissima regia majestas vestra pro ^a sua summa sapientia et doctrina, facile æstimabit: neq; enim donum castitatis omnibus datum est, idq; cœlibatus ipse sacerdotum, et quotidiana experientia etiam nunc testatur; et

* illegitimis

^a sua om.

quid de tali voto sentiendum sit, sanctorum pa trum^bsententiae declaravit, sic enim Augustinus ait, quidam nubentes poet votum adserunt adulteros esse, ego autem dico vobis quod graviter peccant qui tales dividunt. Et Cyprianus de virginibus qui continentiam voverunt, sic inquit, si ^cperseverare nolunt, vel non possunt, melius est ut nubant, quam ut in ignem ^ddeliciis suis cadant.

Censent itaque praedicti sancti patres tale votum non debere impedire matrimonium, sicut revera etiam non potest obstare quo minus hi quibus donum continentiae non contigit, matrimonium contrahant: nam melius est nubere quam uri, ut inquit Paulus: quid autem est impurius coelibatu illo sacerdotali? quam pauci vero continent? quam plurimi in fornicationibus, adulteriis, et id genus similibus ac gravioribus peccatis et flagitiis pæne quotidie deprehenduntur, contra ^equos si leges severe animadverterent, non habituri essent, quo de illo ficto et hypocritico coelibatu adeo gloriantur.

Ac tradunt historiae in Germania triennium aut amplius, sacerdotes acerrime restitisse sanctioni pontificis Hildebrandi de coelibatu, qui summa vi eis uxores ^fadimere conatus est, hique justissimas causas contra illam constitutionem ac tyrannidem pontificiam, pro matrimonio defendendo allegarunt, in qua re cum nihil sequi obtinere potuerint, tandem ingens orta est aeditio contra archiepiscopum Moguntinum, qui decretum pontificium ^hexequi debuit, adeo ut is ab incepto destiterit; et vix tandem papa post multas diras execrationes et bullas, quibus etiam cælum ipsum expugnare conatus est, miseris sacerdotibus facultatem liberam conjugii, contra divina et humana jura abstulerit, et omnis generis libidinis et ⁱimpuritatis exercendae occasionem praebuerit: extat quoque epistola ad Nicolaum episcopum Romanum I. Divi Udalrici episcopi Augustensis, qua is gravissimis et optimis argumentis dissuadet et damnat prohibitionem conjugii sacerdotum.

Cum igitur principes nostri, et alii profitentes evangelii

^b sententia

^c praeservare

^d deliciis

^e quod

^f adimire

^g tyrannidam

^h detulerat,

ⁱ impuratis

doctrinam, patefacta per Dei gratiam iterum veritate, intellexerint quid de prohibitionem illa pontificia conjugii sacerdotalis sentiendum esset, et palam viderent et experirentur, quod non posset coelibatus ille sine peccatis et ^k flagitiis consistere, ruperunt in ^l re etiam vincula pontificia, ac matrimonium sacerdotibus, sicut hoc scriptura sacra et exempla sanctorum patrum ac veteris ecclesiae exigunt et testantur, liberum permiserunt. Existimarunt enim hoc quoque ad suum officium, pertinere, ut infinitorum scandalorum et scelerum, quæ necessario secum trahit coelibatus sacerdotalis, occasionem et materiam præscinderent et auferrent, publicæque honestati hac quoque in re consulerent; maxime cum animadverterent quantæ etiam abominationes, et in ordine sacerdotali, et in monasteriis vestalium ac monachorum evenirent, in quibus compertum est sæpe infantes crudeliter necatos, pharmacis foetus depulsos, et similia nefaria crimina commissa, quos solos fructus coelibatus ille protulit; ideoque plurimi nunc sunt conjugati sacerdotes apud nos, multi etiam coelibes, idque cujusque conscientiae ut vel ducat uxorem vel a conjugio absterneat, permittitur; modo ita vivat ne sit aliis offendiculo, alioqui enim non minus in sacerdotes quam reliquum vulgus, hac quoque parte, secundum leges politicas animadvertitur. Ac per Dei gratiam, hoc inde secutum est, quod eorum conscientis, quibus continentiae donum non contigit, consultum fuerit, plurimorum flagitiorum et scelerum occasio cessaverit, matronis ac puellis quibus plerique istorum sub specie pietatis sæpissime inhiabant, et laqueos ^mnectabant, nihil ejusmodi periculi sit; et in summa, ⁿquod tum officia ecclesiastica, tum politica majore reverentia et honestate tractentur, quodque ab universis in majore honore et favore habeantur sacerdotes, quam antea in illo pleno scandalis coelibatu acciderit, id quoque magna ex parte honestum conjugium sacerdotum præstat.

°Ad hæc, nulli acrius et constantius oppugnant Romanum pontificem, et tum matrimonii libertatem, tum sanam doctrinam ab illo obscuratam et oppressam defendunt, quam hi

^k scandalis

^l ea

^m nectebant,

ⁿ quod quam tum

• adhæc

qui ab ejus jugo impuri illius coelibatus liberati sunt ; et honeste etiam suos liberos quos ex conjugio suscipiunt educare solent, quibus haud dubie Deus etiam post mortem parentum, ubi in timore Domini aliti et edocti fuerint, prospiciet; gravissimum enim Pesset, sacerdotes ideo à conjugio arcere, quia sua munia sive officia tantum ad vitam suam, non autem jure hæreditario tenent; eadem ratione multis aliis qui sunt aut in publicis muneribus, aut in privatis ministeriis, matrimonium interdicens foret. Quod quidem si fieret, reip. plus incommodi quam boni allaturum esset; cum et sacrarum literarum auctoritate, sanctissimorum patrum sententiis, legum, naturæ et gentium testimonio, et omnium sapientissimorum virorum judicio ac suffragiis constet, matrimonium semper iis, qui coelibes vivere non queant, ad vitanda graviora pericula, concessum et liberum esse debere.

Hæc, serenissime ac invictissime rex, coram serenissima regia majestate vestra, breviter disserenda duximus, ut majestati vestræ rationes quasdam commemoraremus, cur illustrissimi principes nostri, et alii evangelii doctrinam proficientes principes et status imperii, in his tribus articulis adeo dissentiant à Romano pontifice, ut sicut in reliquis doctrinæ Christianæ partibus a veritate vel latum digitum non discedendum esse existiment, ita in his etiam decreverint, abjecta ejus tyrannide, pro gloria evangelii, et ad vitanda infinita scelera, perdurare: neque vero hic dicemus de aliis abusibus à Romano episcopo introductis, inter quos imprimis confessio auricularis recenseri meretur, qua ille, et potestatem clavium tantum ad turpissimum quæstum et tyrannidem redegit, et confessionem ipsam, quæ informandarum et consolandarum conscientiarum gratia, salubriter instituta fuit, carnificinam tantum conscientiarum reddidit, perque eam tum omnes reges, principes, et potentatus sub suo jugo tenuit, tum multorum malorum auctor extitit; de qua quid nostri sentiant ac qua reverentia in ecclesiis retineant, edita ipsorum scripta testantur.

Ac gratulamur nobis datam occasionem hæc serenissimæ

P esse, 9 partibus r pontifice introductis, in quos s sentiant

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L 1

regiæ majestati vestræ ^texponenda, ejusq; censuræ ^ucommittenda: cum enim majestas vestra et summa doctrina, sapientia ac studio veritatis prædita sit, et Romani episcopi tyrannidem (haud sine mente deum, sive numine divum, ut poeta inquit) itidem ex suis amplissimis regnis exterminari curaverit, neque amplius per Dei gratiam illius impii opinionibus captiva teneatur; persuasissimum nobis habemus ^xvestram serenissimam regiæ majestatem hisce de rebus maximis, quæ ad Dei gloriam, salutem ecclesiæ, et perpetuam profligationem Romani antichristi pertinent, æquissimum ac liberrimum fore judicium, quod sane ii, quibus vel doctrina aut veritatis studium deest, vel animum habent addictum pontificiis opinionibus, vel metu interdum prohibentur, aut etiam ab affectibus diversæ trahuntur, non adeo facile præstare possunt; et plurimi interdum inservientes tempori, fingunt se odiisse pontificem, simulantque studium veritatis, quibus tamen revera aliud est cordi, hi vero quum non possint nec debeant de hisce controversiis ferre sententiam, serenissima regia majestas vestra nequaquam ignorat.

Non autem dubitamus, quin ut quisque est eruditissimus, et veritatis evangelicæ amantissimus, ita facillime eum causam nostram, imo Christi et ecclesiæ, adprobaturum esse, neque enim ea ullum commodum aut emolumentum privatum quæritur, sed solum agitur de abolendis impiis abusibus in Christi ecclesiam per antichristum invectis, et Christi gloria illustranda, ac veris cultibus restituendis, et ut hominum conscientiæ jugo ac tyrannide pontificia liberentur, ac scandala publica, quantum fieri possit, è medio tollantur. Quarum quidem rerum studium quo jure reprehendi queat, ut etiam magis favore et imitatione dignum censendum sit: cum enim omnium bene constitutarum rerumpub. hic præcipue finis et scopus esse debeat, ut et Dei gloria ornetur, et publica salus, honestas, pax et tranquillitas conservetur, quis ^ydubitabit eos qui sedent ad gubernacula rerumpub. et ad hæc tanquam ad Cynosuram, ut dici solet, cursum suum et omnem rationem regendi rem-

^t exponendi, ^u committendi: ^x vestræ serenissimæ regiæ majestatis
^y dubitat

publicam, instituunt, maximis laudibus dignos esse? Et quoniam serenissima regia vestra majestas, ut rex sapientissimus, et eruditissimus, hunc quoque scopum in gubernandis amplissimis et laudatissimis regnis et provinciis suis ob oculos habere, luce meridiana clarius adparet, non possumus non nobis ipsis, quum in hac honestissima causa promovendæ Christi gloriæ et publicæ utilitatis, ad serenissimam regiam majestatem vestram oratores missi sumus, non gratulari; non possumus etiam non foelices judicare universos subditos majestatis vestræ, quibus divina bonitate talis rex et princeps contigerit, qui cum aliis regiis virtutibus excellit, tum studio veræ pietatis et veritatis evangelicæ omnibus modis admirandus conspicitur.

Sunt quidem illa maxima remp. certis et justis legibus civilibus constituere, bonos tueri et juvare, improbos poenis adficere, arcere injurias, pacem et concordiam subditorum conservare; quis enim non tanquam Deum aliquem talem principem amplectendum et honorandum putet, a quo ista præstentur: sed adhuc sunt majora, si vera pietas ²accesserit, si Christi gloria ornetur, si Dei verbum in pretio habeatur, si cultus divinæ voluntati consentanei instituantur, si hominum conscientis consulatur, et publica scandala è medio tollantur; illa enim tantum hanc civilem vitam attingunt, quam unumquemq; ¹ubi tempus præfinitum advenit, deserere oportet: hæc vero ad æternam salutem pertinent quæ bonos et pios, cessante hac misera conditione humanæ vitæ, expectat, quibusq; et in hoc, et in futuro sæculo, maxima præmia proposita sunt. Hoc est cur Deus reges honore sui nominis ornat, cum ait, Ego dixi, dii estis, maxime ut res divinas intelligant, et veram religionem in mundo conservent; huc præcipue scriptura hortatur, cum inquit, Nunc reges intelligite, et erudimini qui judicatis terram, servite Domino, &c. huc invitant exempla præstantissimorum regum in sacris literis, qui summa cura, opera, ac studio veram religionem promoverunt, et impios cultus abrogarunt: hoc David, hoc Josias, hoc Josaphat, hoc Ezechias, et deinceps omnes sanctissimi reges præstiterunt.

² abscesserit,¹ quum

Eadem cum sereniss. R. M. vestra haud dubie etiam cogitet, imo jam nunc in hoc totis viribus incumbat, ut sincera evangelii doctrina papæ tyrannide oppressa restituatur, gloria Christi itidem à pontifice obscurata iterum illustretur, et impii abusus ab illo ipso antichristo in ecclesiam tanquam venenum quoddam pestilentissimum sparsi et introducti aboleantur, ac veri et divinis literis consentanei cultus et cæremoniæ constituantur, non ^bdubitabimus quin Deus Opt. Max. sereniss. R. majestatis vestræ conatus et consilia, in hisce rebus sanctissimis et honestissimis fortunaturus sit, et pro sua bonitate clementer effecturus, ut inter sereniss. R. M. vestram et principes nostros, ac eorum in causa religionis confœderatos, talis concordia constituatur, quam et ^cin laudem evangelii, et publicam totius Christiani orbis utilitatem cessuram, et majori exitio Romano antichristo futuram esse, minime ambigimus; estque optima spes, ut volente Deo, plures reges, principes, et potentatus, ad hanc sanctissimam causam accedant, ac evangelicæ veritatis doctrinam agnoscant et recipiant, sicut etiam hactenus per Dei gratiam, maximi progressus facti sunt, et non tantum in Germania, verum etiam extra Germaniam, potentissimi reges, principes, et civitates, divini verbi doctrinam receperunt.

Adparetque homines passim agnita veritate, ex scriptis eorum qui evangelii doctrinam profitentur et docent, per totum pæne orbem terrarum sparsis sanioris doctrinæ admodum cupidos esse, quorum preces aliquando Deus pro sua benignitate exaudiet, ac suum verbum illuminatis mentibus regum et principum latissime propagabit, ut ^dsit unus pastor, hoc est Dominus noster Jesus Christus, et unum ovile quod est ecclesia catholica, quæ profitetur sincerum Christi evangelium, et illi consentaneum usum sacramentorum retinet, non papistica aut Romana, quæ utrumque reprobatur, odit, et oppugnat.

Quod reliquum est, serenissime ac potentissime rex, domine clementissime, precamur et optamus ut sereniss. regis majestas vestra incepto negotio veritatis evangelicæ pro il-

^b dubitamus^c in om.^d si

lustranda Christi gloria et salute publica, per Dei gratiam fortiter pergat, quod quidem majestatem vestram, ut regem veræ pietatis et omnis virtutis ac doctrinæ amantissimum, facturam nihil dubitamus: oramusque ut serenissima regia majestas vestra dato benigno responso, ad illustrissimos principes nostros, quam primum fieri queat, ne commodam præsentis navigationis occasionem negligamus, clementer nos dimittat; et ut serenissima regia majestas vestra, erga quam nostra debita officia atque servitia summa cum observantia perpetuo constabunt, has nostras literas pro sua insigni humanitate, bonitate ac clementia, in optimam partem accipiat, nosque etiam clementer commendatos habeat. Bene valeat serenissima regia majestas vestra, quam Deus Opt. Max. pro illustranda et propaganda nominis sui gloria et publica salute, diu servet incolumem. Datæ Londini quinto die Augusti anno Dom. °M.D.XXXVIII.

Vestræ serenissimæ regis
Majestatis
Addictissimi et obsequentissimi,
Franciscus Burgratus
Vicecancellarius,
Georgius a Boyneburgh D.
Oratores.
Friderichus Myconius
Ecclesiastes Gothanus.

VIII.

The king's answer to the former letter.

LITERAS vestras, egregii ac præstantissimi oratores, per Cotton lib.
Cleop. E. 5.
fol. 215. ministrum vestrum nuper ad nos missas, summa humanitate plenas, atque ingentem erga nos benevolentiam spirantes, tum libenter accepimus, tum magna cum voluptate legimus; quibus significatis vos, post exposita nobis mandata, cum quibusdam episcopis et theologiæ doctoribus à nobis desig-

•1538.

L 1 3

natis de Christianæ religionis nonnullis articulis per duos menses contulisse; non dubitare quoque quin inter principes vestros et nos, atq; utrorumq; episcopos, theologos et subditos, firma perpetuaq; concordia in evangelii doctrina ad laudem Dei, et Romani antichristi perniciem sit sequutura: verum quia reliquam disputationem de abusibus expectare non potestis, cum jam naves appulerint vos in patriam deportaturæ, ante discessum vestrum existimatis vestri officii esse ut sententiam vestram de quibusdam abusuum articulis nobis declaretis, de quibus nos post discessum vestrum cum episcopis et theologis nostris conferre possemus. Et quia tria capita præcipua putatis quæ fundamentum pontificiæ tyrannidis sustentare videntur, nempe prohibitionem utriusque speciei in cœna Domini, missas privatas, et prohibitionem conjugii sacerdotum; de his articulis sententiam vestram ingenue aperitis, atque eam iudicio nostro quantumcunq; id sit, et censuræ committitis: quis non hanc vestram benevolentiam, egregii oratores, summo opere amplectatur? Quis non hanc vestram gratitudinem modis omnibus admiretur? Qui nobiscum ea communicare studetis, quæ non modo ad præsentem vitam transigendam, sed ad futuram quoque assequendam conferunt? Enim vero si illos non abs re existimamus amicos, qui in regionum commerciis ea quæ sunt grata atque commoda important, ne quid usquam desit quod ad præsentem vitam degendam pertinet; quanto magis illi sunt amici iudicandi, qui quæ ad æternam vitam conferunt impertiri non gravantur! Nam quæ præsentis vitæ subsidia parantur durabilia diu non sunt, quæ vero ad æternam promovent nunquam intermoriuntur? quinimo amicitia ipsa terrena, quantumvis ingens, quantumvis firma, finem habet è vita excessum, charitas vero quæ nunquam excidit post hanc vitam splendet magis. Et quia nostrum iudicium non aspernari videmini, quod nos ipsi indignum existimamus, ut de rebus tam arduis iudicemus, atque ea proponitis quæ putatis inprimis amplectenda, qua in re non vulgarem sed ingentem vim erga nos amoris ostenditis, ne nos non respondere hinc vestræ tantæ gratitudini videremur, si quæ nobis ad præsens vi-

dentur vobiscum non communicaremus, decrevimus itidem de his tribus articulis nonnihil attingere, et pectus nostrum ingenue vobis aperire: quo fiet ut mutuus inter nos et principes vestros amor eo magis augescat, eo diutius foveatur, si nihil occultum inter amicos retentetur, sed summa sinceritate gerantur omnia, id quod nos cum omnibus amicis semper facere consuevimus; quod nostrum perpetuum institutum in præsentia apud amicissimos, eosque quos habemus charissimos, mutare nequaquam libuit. Verum de articulis ipsis tandem agamus.

De utraque specie.

Quod imprimis sub utraq; specie semper eucharistiam populis secundum primariam, Christi institutionem dandam esse existimetis, et nullo pacto sub altera tantum, non possumus quovis pacto adduci, egregii et præstantissimi oratores, ut putemus vos id serio affirmasse, sed forsan probandi causa nobis id protulisse, ut quid sentiamus intelligeretis; nam ipsa opinio tam aliena est à recta scripturæ intelligentia, ut vix quivis id serio affirmare præsumeret, quod latius in hac epistola declarabimus. Nec nobis persuadere possumus, etsi occasio sit, vos non nobiscum credere, quod sub specie panis sit realiter et substantialiter verum et vivum corpus Christi, et una cum corpore sanguis verus, alioqui fatendum esset corpus ibi exsanguē esse, quod nefas esset dicere, cum caro illa Christi non modo viva, sed et vivificatrix sit; et quod sub specie vini non modo vivus et verus Christi sanguis sit, sed etiam una cum vero sanguine viva et vera etiam corporis sit caro. Quod cum ita sit, necessario consequetur etiam eos qui sub altera specie communicant, et solum sub specie panis corpus Christi sumunt, non fraudari communione sanguinis Christi, atque eos etiam qui sub specie vini communicant non fraudari communione corporis Domini; quocirca cum sub alterutra specie utrumque contineatur, viz. et corpus et sanguis Christi, utraque solum species porrigatur populis, utrumque, id est tam sanguis quam corpus Christi, per hoc eisdem exhibeatur. Nam

^f potuisse, ^s intelligeretis;

Christus ipse sub altera specie dedisse legitur in evangelio Lucæ discipulis duobus in Emaus euntibus, quando agnitus est in fractione panis; scribitur enim, quod cum recumberet cum eis, accepit panem et benedixit, ac fregit et porrigebat illis, et aperti sunt oculi eorum, et cognoverunt eum ^h in fractione panis. Ubi de eucharistia eum locum vetustissimi authores Chrysostomus, Theophylactus, et Augustinus intelligunt, et tamen de vini poculo nulla ibi fit mentio: unde Christus qui in altera specie ministravit eucharistiam, libertatem ecclesiæ sponsæ suæ reliquisse videtur, ut imitetur sponsi sui vestigia, ac similiter sub altera specie, sicut sub utraque, communicare libere possit. Nam Christus qui sub utraq; specie communionem docuit, etiam de communionem sub altera ipse exemplum reliquit, qui secum tamen nusquam vel in præceptis, vel in exemplis dissidet.

Simile idem Lucas in Actis Apostolorum citat, quando post adventum Spiritus Sancti, prædicante Petro, appositæ sunt animæ circiter tria millia, inquires, Erant autem perseverantes in doctrina apostolorum et communicatione et fractione panis et orationibus: ubi similiter de eucharistia eum locum intelligunt veteres, et de poculo nulla fit ibi mentio. Jam si Christum ipsum autorem, si apostolos ab eo ad docendum orbem missos patronos habet, communicatio sub una specie nempe panis, usitata in ecclesia non est tanquam evangelicis præceptis contraria, statim repudianda; nam apostoli, qui per adventum Spiritus edocti sunt omnem veritatem, nunquam in fractione panis communionem dedissent populo, si utraq; species de præcepto Christi semper necessario fuisset porrigenda, ne Christi jubentis parum memores institutum ejus mutasse viderentur.

Porro ipsa Christi verba, quæ post evangelistas Paulus totam cœnam Dominicam Corinthiis enarrans citat, nos admonent Christum separatim de alterutra specie locutum esse; ait enim, Dominus Jesus in qua nocte tradebatur, accepit panem et gratias agens fregit, et dixit, Accipite et manducate, hoc est corpus meum quod pro vobis traditur, hoc facite in mei commemorationem. Ecce Christus de corpore suo sub

^h in om.

specie panis sumendo separatim locutus est, inquiens, Hoc facite, priusquam ullam de poculo faceret mentionem. Postea autem de calice ait Paulus, Similiter et calicem postquam coenavit accepit dicens: Hic calix novum testamentum est in meo sanguine, hoc facite quotiescunq; bibetis in mei commemorationem: nec dixit sicut de corpore dixerat simpliciter, Hoc facite in mei commemorationem, sed dixit,

Hoc facite, cum hac adjectione, nempe quotiescunq; bibetis in mei commemorationem, per hoc nobis indicans, non semper sub specie vini sumendum esse sanguinem una cum corpore sub specie panis, sed quotiescunq; sumeretur sanguis sub specie vini in commemorationem Christi, id faciendum.

Ecce rursum Christus post distributionem corporis sui, peracta coena in qua corpus suum sub specie panis separatim prius dederat, iterum separatim sub specie vini sanguinem suum ¹offert, inquiens, Hoc facite quotiescunq; bibetis in mei commemorationem, significans nobis et seorsum nonnunquam alterum porrigi posse, et tamen cum ita ²fit, utriusq; vim integram populis dari, alioqui suffecisset semel duntaxat de utroq; fuisse dictum, Hoc facite, nec de calice adjecisset Hoc facite quotiescunq; bibetis, cum prius de specie panis simpliciter dixisset Hoc facite, nisi separatim ea sumi posse judicaret.

Neque quisquam negare potest discipulos in coena sub specie panis sumpsisse corpus Christi, ¹nam coenantibus illis, accepit panem et benedixit ac fregit deditq; illis, dicens, Hoc est corpus meum: calicem autem non nisi post intervallum ac peracta coena porrexit, nisi quis adeo stupidus esset, ut crederet post sumptionem ³speciei panis non prius eos sumpsisse corpus Christi, quum postquam coenavit ²porrexisset calicem; quasi vero priora verba Christi irrita fuissent, cum de specie panis diceret Hoc est corpus meum, aut ipsa distributio facta discipulis nullam vim haberet, priusquam de calice peracta coena bibissent: quod cum impium sit sentire, tum ipsum verbum et factum Christi, proh nefas! evacuat. Denique ipse Paulus, postquam etiam de utraque specie conjunctim locutus est, rursum de ipsis speciebus dis-

¹ offeret,² sit,³ nam om.⁴ specie⁵ porrexisse

junctim infert, inquit *ἵνα ὁ καθ' ἑκάστην τὴν ἑορτήν τοῦτον, ὃς πίνει τὸ ποτήριον τοῦ Κυρίου ἀναξίως, ἐνοχὸς ἔσται τοῦ σώματος καὶ αἵματος τοῦ Κυρίου.*

Quæ verba Latine sic transtulit Erasmus, Itaq; quisquis ederit panem hunc aut de calice biberit indigne, reus erit corporis et sanguinis Domini; ubi ex Pauli verbis aperte liquet, Quisquis indigne panem hunc sumpserit, reum esse corporis et sanguinis Domini, aut si quis de calice ¹ biberit indigne, similiter reum esse sanguinis et corporis Domini, quod tamen nullo modo crimini daretur, nisi seorsum sub specie panis esset et corpus et sanguis Christi, atque itidem sub specie vini seorsum esset et corpus et sanguis Christi; nec disjunctim de specie panis locutus fuisset Paulus, si nunquam nisi conjunctim cum calice sumeretur: neq; rursum disjunctim de calice dixisset, si nunquam nisi conjunctim cum specie panis esset sumendus. Quorsum enim ea disjunctisset si nunquam nisi conjuncta esse possent? ² At verba ipsa scripturæ singula sunt attendenda, nam propheta inquit, Inclinate aurem vestram in verba oris mei; et Moises in Deuteronomio ait, Ponite corda vestra in omnia verba quæ ego testificor vobis hodie, quia non incassum præcepta sunt vobis. Et iterum, Non addetis ad verbum quod vobis loquor, nec auferetis ab eo. Verba igitur Domini atque ipsius Pauli, et separatim de alterutra specie primum posita, et post utriusque conjunctionem etiam iterum disjuncta, significare nobis videntur, et posse alterutram speciem seorsum porrigi secundum verbum Christi.

Nec per hoc quod Christus dixit, Bibite ex hoc omnes, statim consequetur Christum jussisse communionem cuilibet de populo semper sub utraq; specie et nunquam sub altera dandam esse: nam illorum verborum sensum non alium esse apparet, quam quem ipse Dominus apostolum suum Paulum, qui à Domino de hoc sacramento omnia se accepisse testatur, edocuit, nempe quod quotiescunq; de calice hoc quisquam biberet, id in Christi memoriam faceret, sicut fecerunt discipuli, qui tunc aderant præsentibus et de eo biberunt omnes: itaque quotiescunque sanguis Christi bibendus

¹ ἵνα

² πίνει

³ ἵνα

⁴ biberet

⁵ An

à quoquam esset, in memoria passio Christi recordanda est; sicut similiter quisquis corpus Christi sumpserit, ad memoriam passionem ejus revocare debet: neque ex præcepto Christi toties bibendum esse de hoc calice, quotiescunq; corpus Christi sumendum est, apparet per ea quæ de verbis et de exemplo Christi supradicta sunt. Certe quicquid Christus omnino observari præcepit, non posse ulla humana sanctione prohiberi putamus, cum humana lex divinam abolere non possit. Similiter etiam existimamus, nec morem ullum, nec ullam consuetudinem tantopere apud homines valere ¹debere, ut Dei verbum expugnet et Christi præceptum subvertat.

Verumtamen cum Christus nobis libere reliquerit ut eum tribus modis corporaliter sumere possimus, et quarto spiritualiter, nempe primo, sub utraque specie; secundo, sub panis specie tantum; tertio, sub vini; quarto, voluntate et desiderio solo cum aliter necessitate coacti eum sumere nequimus; existimamus pro primo, ut siquis fidelis ardenti in Deum amore flagrans, pietateq; ingenti æstuans, magnopere desideraret sacramentum sub utraq; specie sumere, si nullum vel valetudinis vel imbecillitatis obstaret impedimentum, ei sub utraq; specie communio præberi possit, dummodo neq; postulans neq; ministrans sacramentum in scandalum populi, aut in contemptum ecclesiæ id faciat, neque suo jure leges religionis in qua degit sive ecclesiasticas sive laicas infringere præsumat.

Pro secundo et tertio sic, quod si impedimentum aliquod hujusmodi intervenit, ut in utraque specie absq; periculo sumi non possit, ut si quis paralyti correptus, aut ²ob alia quevis naturæ aut morborum ³impedimenta utramq; speciem recipere commode non possit, hic si desideret sacram communionem sumere, ei sub altera tantum specie porrigatur. Pro quarto autem, quod ⁴si quis nausea, vel alia corporis molestia adeo sit infestatus, ut nihil in stomachum receptum non rejectet, huic si id petat, sacramentum saltem ostendi posset, ut viso eo mortem Christi redemptoris sui citius revocans in memoriam compunctus corde spiritualiter communicet.

¹ debere *om.*

² ab alio quovis

³ impedimento

⁴ siquis

Plurimum igitur demiror, quod hi qui Christianas libertatis assertores et acerrimi propugnatores videri volunt, libertatem hanc nostram in hoc uno corporis et sanguinis Domini sacramento, quo nihil superexcellens, nihil celebrius, nihil incomparabilius, nihil demiq; ad consolandos fidelium animos solidius, Christus hinc abiturus ecclesiae suae reliquit, nobis tollere velint, quid enim majus donare potuit Christus in hoc sacramento sumendum quam seipsum? Deinde cum ipse omnino liberum nobis reliquerit, et posse aliquos sub utraq; specie communionem accipere, et posse alios sub altera, nonnullos quoq; morborum necessitate impeditos, saltem in conspectum prolato corpore Domini compuncto corde posse spiritualiter communicare, quanta immodestia, quanta inclementia esset, libertate hac fraudare Christianos? Ut quibus sub utraq; specie, ob impedimenta quae sunt innumera, communio praebere non posset, his summi boni fruitione privatis sub neutra daretur! Nec adhuc fatentur et si non corporaliter sumatur, saltem spiritualiter capi posse. Qua non servitute durior esset haec conditio, ut Christi redemptoris nostri corpus, quod illa a fidelibus sumi voluit, nobis id summopere desiderantibus violenter eripiat; quis ingenuè Christianus libertatem fruitionis hujus sibi extortam non omni morte intolerabiliorem putaret? Itaq; libertas haec a Christo nobis relicta omni conatu retinenda est, omnibus viribus amplectenda, nec ipsis mea opinione fidendum est, qui eam nobis tollere velint.

Præterea, quid ^a fiat apud septentrionales populos? quid apud populos Aphricæ et qui intra tropicos habitant? apud quos non ea vini copia est ut populis omnino sub specie vini ^b præbere possit, (nam his populis cervisia ex frugibus est potui) an ideo quia sub utraq; specie his ministrari sacramentum non potest, ab utraq; arcendi essent? aut sub una non integrum Christum capere possent? id quod absit.

Quando autem primum populus priscum morem deserere, et sub altera tantum panis specie communionem sacram sumere coepit, nobis est incertum; credibile est majores

^a ille^a fiat^b præberi

nostros auctoritate scripturæ motos, quæ alteram nonnumquam speciem per Christum et apostolos datam memorat, propter periculum effusionis in terram sanguinis Christi, cum liquida omnia levi membrorum trepidante motu facile effundantur, religiosas quadam et pia reverentia, non mediocriq; Dei timore abstinuisse in sacramento a vini specie, nec Christum qui se cum ecclesia usque in finem omnibus diebus mansurum promisit, tot sæculis eam deseruisse, ut si necessarium præceptum de utraq; specie semper ab omnibus sumenda dedisset, in re tanti momenti eam permisisset turpiter labi; sed magis ecclesiæ suæ liberum reliquisse videtur, ut cum in alterutra specie totus et integer Christus contineatur, sub altera etiam sumi possit.

Qui vero sit mos hodie de utraq; specie in ecclesiis Græcis, quæ Romanæ ecclesiæ tyrannidem nunquam admiserunt, non satis nobis est compertum, cum Græcia tota Turcarum subit imperio, nec liberam habeant facultatem Christum ut libet profitendi, quando nec verbum Dei publice prædicare, nec ad Campanarum sonitum populum convocare, nec publicas Litanias crucis vexillo præeunte facere, his ullo pacto est concessum.

Illud quoq; imprimis est observandum, nempe quod in universis ecclesiis in die Parasceves sacerdos et omnis populus sub una tantum specie panis *communicat, non sub specie vini, ut cum is dies repræsentat mortem Christi in qua sanguis ejus pretiosus pro nostra salute effusus est et separatus a corpore, separatim illo die sub altera solum specie communicarent omnes sive sacerdos sive populus; qui mos per universam ecclesiam nunquam fuisset admissus, nisi sub altera tantum specie integer Christus contineretur, atq; nisi sub altera sacramentum populis ministrari posset.

De missa privata.

Per missas autem privatas multos abusus introductos esse dicitis, quas velut Atlantem quendam papatum sustinuisse, indulgentias invexisse, orbem expilasse, utpote quæ ad quæ-

* communicant,

stum pateant, monachorum turbas coacervasse, verbum Dei exterminasse asseritis, atq; ideo Germanos principes synaxim veteri more reduxisse quam lingua vernacula facere, ritu satis decoro atque decenti commemoratis; privatas vero missas apud vos in totum abolitas esse, quæ tot pepererunt abusus et foetus malignos. Qua de re nobiscum diu multumq; cogitantes, consideramus inprimis nihil unquam in ecclesia sua Christum ordinasse quo malignus serpens aliquando non sit abusus, neque tamen propterea rejiciendum est quicquid sancte est ordinatum, alioqui sacramenta omnia antiquanda essent; quin magis reputavimus longe satius esse abusus omnes in totum remove, quæ vero sancte et pie introducta sunt in ecclesiam, illa ipsa stabilia manere.

Nam si ideo missæ privatæ abolendæ sunt in totum, quia de illis Thomas Aquinas, Gabriel, atque alii doctrinas ut dicitis impias induxerunt, viz. missas ex opere operato gratiam mereri, et tollere peccata vivorum et mortuorum, et applicari posse alienum opus ad alterum, quicquid sit, quod illi asserunt, hoc de omni missa asserunt, non de privata duntaxat; qua propter si ad tollendas illas opiniones qualescunque missa privata esset abroganda, eadem ratione abroganda esset synaxis et missa publica, quam vos ipsi retinetis nec censetis abolendam, quicquid de ea alii opinentur. Missa vero privata, velut privata quædam est communio et synaxis, quæ si recte atque ut decet fiat, quicumque fideles illi interesse decreverint, si poenitentes convenerint contriti de peccatis, Dei; implorent misericordiam cum filio prodigo dicentes, Pater peccavi in cœlum et coram te, haud ^d dubium quin ipsi spiritualiter cum sacerdote communicant, offerentes se et animas suas, hostias vivas et acceptabiles Deo, tametsi pauci fuerint, atq; à corporali sacramenti sumptione abstinerint: ac per hoc missa privata ecclesiæ adeo non obest, ut non parum et ad vitam corrigendam, et ad fidem in Christum corroborandam prodesse videatur, quippe Christiani per hoc peccatores se agnoscunt quotidie delinquentes, quotidie veniam postulant, quotidie per peccatum in salebroso vitæ hujus cursu cadentes, quotidie pœ-

^d dubie

nitentes resurgunt, et velut alacriores reddit, devicto sæpius hoste, fiunt ad pugnam audentiores.

Porro statim in exordio omnis missæ privatæ publica est peccatorum omnium generalis confessio, venia postulatur à Deo, absolutio impartitur à sacerdote secundum Dei verbum, quemadmodum in missa publica.

Et si in missa publica et quantumcunq; solenni nemo adsit alius præter sacerdotem qui communicare velit in esu sacramenti, quid quæso differet missa publica à privata? An sacerdos in solemnibus die populo ad sacra conveniente, si nemo alius communicare velit, ^eabstinebit à missa publica? Atque inter Græcos ipsos, ubi singulis Dominicis diebus fit una missa publica uti asseritis, raro admodum communicat in esu sacramenti quisquam è populo, uti à fide dignis accepimus, qui ipsi Græcorum sacris interfuerunt.

Quod vero Epiphanium citatis qui singulis septimanis ter celebratam synaxim in Asia asserit, eumq; morem ab apostolis inductum, cum jam tantum in Græcia singulis Dominicis fiat populi conventus ad sacra, si mutari mos potuit ab apostolis inductus, ut rarius quam ^fstatuerunt apostoli populus congregatur, cur non etiam mutari potuit ut sæpius conveniret, quando per hoc celebrior fit mortis Christi memoria, id quod in missa fit etiam privata.

Jam vero si sacramentum hoc à fidelibus exerceri Christus in mortis suæ memoriam præcepit, inquit, Hoc facite in meam commemorationem, ne mors ejus raro admodum commemorata in oblivionem transiret, quo crebrius, quo frequentius, memoria ejus in sacramento repetitur, eo mandatum ejus servatur magis: etenim sicut raro admodum ^smemorata oblivioni sunt obnoxia, ita crebro frequentata radices in mente agunt altius, ne obliterari unquam possint; itaq; ut ^hmors Christi crebra memoria illustretur, missa etiam privata non parum confert.

Certe Paulus apostolus singulas domos privatas, ubi credentium numerus aliquis erat, ecclesias vocat, membra majoris ecclesiæ, civitatis illius in qua essent, ⁱsicut majores ipsas civitatum ecclesias, membra catholicæ et universalis ec-

^e abstinet

^f statuerant

^s memoriata

^h mos

ⁱ sicut

clesiæ appellat, scribens ad Corinthios ; at quæ ecclesia ar-
cenda est à communione corporis Domini? Christus etiam
ipse instituendo sacramentum hoc corporis et sanguinis sui,
inquit, Hoc quotiescunq; facitis, facite in meam commemora-
tionem: nec tempus nec locum ullum cohibuit, quo fieri id
non posset, quonam modo igitur arcebitur quenkum à
missis privatis? et ad dies festos publicamq; synaxim eum
relegabimus? cujus arbitrio Christus liberum reliquit,
quando et ubi id vellet decenter exequi, dum inquit quo-
tiescunque? nam si certa tempora servanda essent, non
ita indefinite locutus fuisset Christus ipsum Dei Verbum,
ipsa sapientia Patris.

Jam vero ab initio nascentis ecclesiæ per singulas domos
ubi erant fideles fiebat communio, atq; id quotidie, teste
Luca in Apostolorum Actis, ubi ait, Quotidie quoq; perdu-
rantes unanimiter in templo, et frangentes circa domos pa-
nem ; quem locum etiam de communione veteres interpretes
intelligunt, et tamen singulis diebus non agebant publice
dies festos, sed privatim per domos communicabant: etsi
terrenorum regnum atq; principum ministri pleriq; omnes
nullum diem transigere cupiunt, quo non fruuntur vel solo
aspectu sui Domini, tametsi propior congressus non con-
tingat, quis fidelis Christianus non omnibus optabit votis,
ut quando in hac vita Christum regem regum et Dominum
dominantium, in majestate gloriæ regnantem cernere mor-
tales oculi non possunt, saltem per fidem in sacramento cor-
poris Domini, quod ille fidelibus in memoriam sui frequen-
tandam reliquit, interim quotidie regem gloriæ videat?

Quod vero Chrysostomus sacerdotem ad altare stare, et
alios ad communionem accersere, alios arcere scribit, enarrat
morem publicæ communionis, qui in initio nascentis eccle-
siæ crebrius quam nunc fit frequentabatur ; qui mos nunc
in paschate, quando ubiq; communicat populus, apud omnes
servatur ecclesias : cæterum ille ipse expostulat cum fide-
libus sui temporis, quod rarius communient, quam vel oportet,
vel vetus mos erat ; cæterum nusquam is privatas
missas vetuit.

* ita om.

At canon Nicenus diaconis in communione publica suum locum designat post presbyteros; cæterum nec is canon, nec ullus alius missas privatas abrogat.

Sacramentum autem eucharistiæ sacrificium non esse arbitramini, quod unum sacrificium sit propitiatorium mors Christi, et cum is ultra non moritur, qui semel tantum pro nobis oblatus est, nullum restat ultra sacrificium, nisi cultus spiritualis, hoc est, justitia fidei et fructus fidei. Quid sibi velit justitia quæ ex fide est scimus, quippe quam Paulus opponit justitiæ quæ est ex lege: cæterum qui ¹sint fructus fidei, nobis ex scripturis non satis liquet, ipsam fidem ^msicuti charitatem, et multas alias virtutes scimus esse fructus spiritus. Verum enim vero non satis miramur, cur quispiam ægre ferat missam sacrificium vocari, quando omnis vetustas et Græcorum et Latinorum sic eam appellare consuevit, quum ibi fiat consecratio ⁿcorporis et sanguinis Domini in memoriam mortis ejus, qui, ut inquit Paulus, pro peccatis offerens hostiam, in sempiternum sedet ad dextram Dei, una enim oblatione consummavit in sempiternum sanctificatos; itaq; si Christus et sacerdos esset, et sacrificium, et hostia, ubicunq; est Christus, ibi est hostia nostra, ibi est sacrificium nostrum; at si in sacramento altaris est verum corpus Christi, et verus sanguis Christi, quo pacto manente veritate corporis et sanguinis Domini, non est ibi sacrificium nostrum?

Porro quia in missa est Christus sacrificium nostrum, qui ipse ultra non moritur, ibiq; cum ipso capite nostro, nos illius corpus et membra nosmet ipsos Deo hostias vivas offerimus, Græci id totum *ἀναμνησκον θυσιαν*, id est, sacrificium incruentum vocant: ita veteres omnes intrepide missam sacrificium vocarunt, quod ibi sit Christus sacrificium nostrum in sacramento.

Sic Basilius, sic Chrysostomus, sic Hieronymus, sic Augustinus, eam appellare non dubitavit; quocirca quid vetat missam, in qua consecratur panis in corpus Christi, et vinum in sanguinem ejus, qui vere est sacrificium nostrum, et hoc fieri in memoriam sui jussit, vocari sacrificium: °alioqui

¹ sunt

^m sicut

ⁿ corpus

[•] alique

si id negabimus, non parum verendum est, ne cum sacramentariis quos nunc vocant, qui veritatem corporis et sanguinis in sacramento negant, et cum anabaptistis consentire videamur, à qua suspicione sicut in animo nostro nos profitemur longe abesse, ita quoq; cupimus calumniantibus adversariis omnem obtrectandi ansam auferri: atqui cum in missa tum sacerdos, tum populus contritus de peccatis se, ut hortatur Paulus, Hostiam vivam, sanctam atq; Deo placentem exhibeat, laudes quas Deo canat et in gratiarum actione versetur, quis dubitare potest, ea quoq; ratione, missam jure sacrificium nominari, cum propheta appellat sacrificium laudis; et Paulus omnes hortetur, ut se hostias vivas exhibeant, id quod fit in missa. Malachias etiam propheta inquit, Ab ortu solis usq; ad occasum, magnum est nomen meum in gentibus, et in omni loco sacrificatur, et offertur nomini meo oblatio munda, quia magnum est nomen meum in gentibus, dicit Dominus exercituum. At quæ alia oblatio munda in omni loco inter gentes, nisi solus Christus, aut quod aliud sacrificium Christianorum, nisi missa, ubi commemoratio mortis Christi agitur? nam aut Paliquod inter gentes Christianorum oportet esse sacrificium, aut mentitus est propheta: quænam quæso est oblatio munda, nisi solus Christus hostia nostra, qui in sacramento altaris est sub panis et vini speciebus? quippe quantumcunq; nos ipsi nos Deo offeramus, hostiæ q munda non meremur nomen, quorum omnis justitia velut pannus est menstruæ; Itaque, constat missam sacrificium vocari ex verbo Dei per Malachiam enunciato, quod cum ita sit, cur missæ invidemus nomen sacrificii, quod propheta prædixit, et in qua Christus in sacramento præsens est ipse mundi sacrificium.

De conjugio sacerdotum.

Cœlibatum sacerdotum contra scripturam, contra leges naturæ, contra honestatem, per pontificem Romanum asseritis introductum, cum scriptura sacerdotibus, sicut cæteris hominibus, conjugium permittat, nec ^r possint naturam suam mutare, nec absq; singulari dono cœlibes vivere: Nam non

^r aliquot

^q munda

^r possit

omnes capiunt verbum hoc, et Paulus inquit, propter fornicationem unusquisq; uxorem suam habeat.

Hic primum ordiri juvat, ut locum illum evangelii de tribus eunuchorum generibus consideremus, quandoquidem Christus alios à natura eunuchos esse asserit, alios per vim factos, quorum neutrum genus continentiae virtute splendet; quoniam alteros ad generandum natura, alteros violentia reddidit inutiles. Tertium vero genus eorum est, qui quanquam terrena generatione uti possunt, ^s malint continere, et se castrare propter regnum cœlorum; de quo genere Christus statim infert, qui potest capere, capiat, id quod nec de primo, nec de secundo eunuchorum genere intelligi potest, quibus continentiae palma negata est, cum ^t descendere in certamen nequeunt: tertium vero genus eorum est, qui continentiae student, et à licitis nuptiis abstinere malunt propter regnum cœlorum, quo Christum liberius atq; expeditius sequantur, ne terrenis nuptiis implicati, cogitare cogantur, ut inquit Paulus, quæ sunt mundi; ad quod genus Christus virginitatis author homines sapientissime invitat, inquiring, Qui potest capere, capiat: per hoc quod inquit, capiat, homines adhortans ad capescendum certamen ut palmam arripiant, nempe regnum cœlorum, ad quod neminem hortaretur, si nemo carnem possit vincere; per hoc vero quod ait, qui potest capere, posse capi palmam indicans; alioqui si impossibile esset carnem superare, quorsum attineret dicere, qui potest, si nemo id ^u posset.

Præterea per ea verba, qui potest capere, quosdam etiam esse declarat, qui non facile possunt, nam nisi aliqui non facile possent capere, cur secerneret eos qui possunt; itaq; considerandas animi vires admonet, priusquam certamen aggrediare, ne temere arrepto certamine turpiter succumbas: nec dixisset quosdam esse, qui se castraverunt propter regnum cœlorum, si caro esset insuperabilis, et nemo se castrare posset. Nec dubitandum est quin is qui hortatur ad subeundum certamen, gratiam suam sine qua nihil possent, his non defuturam demonstrat, qui nomina sua in militiam ei dederunt, quorum ille ipse dux futurus est, qui

^s malunt^t descendere^u posset.

non modo in periculis suos milites invocatus nunquam deserit, sed stat ante januam et pulsatur, paratus semper ad succurrendum, si quis ei aperiat: nam Paulus tentationes superari posse nos admonet, modo Dei auxilium imploramus, inquit, Tentatio vos non apprehendit nisi humana, fidelis autem Deus qui non patietur vos tentari supra id quod potestis, sed faciet etiam cum tentatione proventum ut possitis sustinere. Quamobrem his qui continentiam semel profitentur, et eam postea turpiter deserunt, etiam atque etiam considerandum est, ne nomen Dei blasphemare videantur, Christum accusantes deserti auxilii, cum sint ipsi desertores militiae, et primo statim congressu terga dantes hosti: itaque quod Paulus liberum cuique facit, ut propter fornicationem uxorem suam habeat, id de his intelligi, qui continentiam non sunt professi, Paulus ipse nos docet, inquit, de viduis adolescentioribus, quæ cum luxuriatæ fuerint in Christo nubere volunt, habentes damnationem quia primam fidem irritam fecerunt. Augustinus Pauli doctrinam secutus, Psal. 88. inquit, alius ex Dei munere majus aliquid vovit, statuit nec nuptias pati, qui non damnaretur si duxisset uxorem; post votum quod Deo promisit si duxerit damnabitur: sic virgo quæ si nuberet non peccaret, sanctimonialis si nupserit Christi adultera reputabitur, respexit enim retro de loco quo accesserat, exemplo uxoris Loth, et sicut canis reversus ad vomitum reputatur.

Itidem Augustinus, Psal. 75. ample asserit votum semel emissum servandum esse. Hieronymus etiam adversus Jovinianum inquit, virgo quæ se Deo dicavit, si nubat, damnationem habet; atque alio loco adversus eundem, virgines tuæ quas prudentissimo consilio (quod nemo unquam legerat, nec audierat de apostolo) docuisti, melius esse nubere quam uri, occultos adulteros in apertos verterunt maritos; non suavit hoc apostolus, non electionis vas Virgilianum consilium est, Conjugium vocat, hoc prætexit nomine culpam. Verbum ipsum Dei palam adversatur ubique ne rumpantur vota. Propheta inquit, vovete et reddite Domino Deo vestro; in Deuteronomio quoque scribitur, cum

* fuerunt

† vergo

votum voveris Domino Deo tuo, non tardabis reddere, quia requireret illud Dominus Deus tuus, et si moratus fueris, reputabitur tibi in peccatum; si nolueris polliceri absq; peccato eris, quod autem egressum est de labiis tuis, observabis et facies, sicut promisisti Domino Deo tuo et propria voluntate et ore locutus es. Ecclesiastes etiam inquit, siquid vovisti ne moreris reddere, sed quodcunq; voveris redde: et in Numerorum libro scribitur, siquis virorum votum Domino voverit, aut se constrinxerit juramento, non faciat irritum verbum suum, sed omne quod promisit implebit. Quocirca ecclesia à principio sicut conjugatos sacerdotes et episcopos, qui sine crimine essent unius uxoris viri propter necessitatem admisit, cum tot alii quot possent ad edocendum orbem sufficere tunc non reperirentur idonei, et tamen Paulus Timotheum coelibem elegit; ita quoq; siquis ad sacerdotium coelebs accersitus, postea uxorem duxerit, semper à sacerdotio deponeretur, secundum canonem Neocæsariensis concilii, quod fuit ante Nicenum. Similiter in Calcedonensi concilio, in cujus primo capite priora concilia confirmantur, statuitur ut diaconissa, si se nuptiis tradat, maneat sub anathemate, et virgo Deo dicata et monachus jungentes se nuptiis, maneant excommunicati.

Hoc quoq; observandum est, quod in canonibus apostolorum habetur, tantummodo lectores cantoresq; non conjugatos posse uxores ducere, cæteris vero in clerum admissis postea uxorem ducere nunquam licuit.

Qui vero conjugati ad sacerdotium admissi erant, uxores suas prætextu religionis abjicere nequaquam poterant, ut docet canon apostolicus; cumque in Niceno concilio proponeretur de presbyterorum jam ductis uxoribus abjiciendis, restitit Paphnutius ne legitimæ uxores pellerentur, cujus sententiam, cum canone apostolorum de non abjiciendis uxoribus concordantem, omnes sunt secuti.

Cæterum in Niceno concilio nihil unquam propositum fuit, ut sacerdotes post sacerdotium uxores ducerent, quod jam ante sic erit prohibitum, ut siquis contrarium auderet, ducens postea uxorem, deponeretur à sacerdotio, ut supra

dictum est ; itaq; Paphnutius de non abjiciendis jam ductis ante sacerdotium uxoribus, non autem deducendis post sacerdotium aperte locutus est.

Itaq; neq; canon aliquis apostolicus, neq; concilium Nicaenum quicquam habet ejusmodi ut in sacerdotium admissi, postea uxores ducant, sicut vos allegatis.

His concordat sexta synodus in qua sancitum est quod siquis è clero vellet uxorem ducere, ante subdiaconatum id faceret, postea nequaquam liceret, nec ulla usquam libertas sacerdotibus in sexta synodo datur post sacerdotium uxores ducendi, sicut vos asseritis.

Itaq; à principio nascentis ecclesiæ, plane compertum est nullo unquam tempore licuisse sacerdoti post sacerdotium uxorem ducere ; atq; ubicunq; id fuit attentatum, id non fuit impune, nam tantum nefas ausus deponeretur à sacerdotio. Paulus apostolus inquit, de conjugibus loquens, nolite fraudare invicem nisi forte ex consensu ad tempus, ut vacetis orationi. Hieronymus in Apologia ad Pammachium ait, Paulus apostolus dicit, Quando coimus cum uxoribus nos orare non posse, si per coitum quod minus est impeditur, id est orare, quanto plus quod majus est, id est corpus Christi, prohibetur accipere : idque late prosequitur exemplo panum propositionis, qui non dabantur nisi continentibus Davidi et ministris, ut scribitur in libro Regum ; panes enim propositionis, quasi corpus Christi, de uxoribus cubilibus consurgentes edere non poterant, ut inquit Hieronymus, atq; exemplo dationis legis veteris, ante cujus dationem filii Israel in Exodo triduo abstinere sunt jussi ab uxoribus.

Hieronymus etiam adversus Jovinianum inquit, si laicus et quicunq; fidelis orare non potest, nisi careat officio conjugali, sacerdoti cui semper pro populo offerenda sunt sacrificia, semper orandum est : si semper orandum est, semper ergo carendum matrimonio. Idem asserit Ambrosius ample in Epistola ad Timotheum prima, cum quo consentit Augustinus.

Paulus Timotheum discipulum in sacerdotali officio erudiens, admonet secularia negotia fugienda esse, inquiens,

Labora ut bonus miles Christi Jesu, nemo militans implicat se negotiis secularibus, ut ei placeat cui se probavit; et si sacerdotes uxores acciperent, curis secularibus necesse est involvantur, nam teste Paulo, qui cum uxore est, sollicitus est quæ sunt mundi, quomodo placeat uxori; qui vero sine uxore est, sollicitus est quæ Domini sunt, quomodo placeat Deo: ideoq; eundem ad cœlibatum hortatur, quando ait, Teipsum castum custodi, nam castitas, ubi de conjugatis non fit sermo, cœlibatus intelligitur, suum enim discipulum sui similem reddere cupiebat; ²et qui quodam in loco Corinthiis scribens, omnes homines hortatur ad continentiam, ait enim, volo omnes homines esse sicut meipsum, et rursus dico non nuptis et viduis bonum est, si sic permanserint sicut et ego. Alio in loco scribens eisdem, ministros ecclesiæ sui officii admonet, adhortans ne in vacuum gratiam Dei recipiant, et subdit, Nemini dantes ullam offensionem, ut non vituperetur ministerium, sed in omnibus exhibeamus nosmetipsos sicut Dei ministros, &c. in vigiliis, in jejuniis, in castitate, in scientia, in verbo veritatis. Quæ omnia ad ministros ecclesiæ pertinent quos castitatem maxime sectari convenit, ut impuri non appropinquent altaribus, à quibus salaces omnino arceri decet: nam non nisi de sacerdotibus ea intelligi possunt, quando scientia divinæ legis et populi institutio ad eos spectat, ut inquit Malachias, Labia sacerdotis custodiunt scientiam et legem requirunt ex ore ejus. Et Paulus Timotheum vult se exhibere operarium inconfusibilem, recte tractantem verbum veritatis, viz. in doctrina populi; igitur sacerdotes Domini, qui se Deo jampridem dedicaverunt, qui se castraverunt propter regnum cœlorum, qui pro suis et populi peccatis orare assidue debent, quoniam pacto, deserto cœlibatus vexillifero Christo, novis nuptiis operam dare secularibusq; molestiis quibus ^ahæ scaturiunt se implicare decet? quid enim est ad aratrum manum mittere, retroq; ^brespicere exemplo uxoris Loth, si hoc non est? cujusmodi homines non aptos esse regno Dei, Christus ipse pronunciat, etenim si nemo potest uxori pariter et philosophiæ operam dare, ut mundana prudentia docet, quanto

^a atque quodam^a hæ om.^b recipere

magis is qui se Deo dicavit, duobus dominis servire non poterit, nempe Deo pariter et mundo, quorum uterq; totum hominem, non dimidiatum, ad se raptat?

Quanquam autem et conjugati et coelibes in initio ecclesiae admittebantur ad sacerdotium, id tamen non ubiq; ita servabatur teste Hieronymo adversus Vigilantium, ubi inquit, quid facient orientis ecclesiae, quid Egypti, et sedis apostolicae, quae aut virgines clericos accipiunt, aut continentes, aut si uxores habuerint mariti esse desistunt? Atque ad Pammachium Hieronymus inquit, Christus virgo, virgo Maria, utriusq; sexus virginitatem dedicaverunt, apostoli vel virgines, vel post nuptias continentes, episcopi, presbyteri, diaconi, aut virgines eliguntur, aut vidui, aut certe post sacerdotium in aeternum pudici, in morem ecclesiae veterem, cujus autor est haud dubie Paulus et scriptura ipsa. Jam vero uti Augustinum citatis, qui ait, quidam nubentes post votum asserunt adulteros esse, ego dico vobis quod graviter peccant qui tales dividunt: at ille ipse Augustinus asserit, lapsus et ruinas à castitate sanctiori quae vovetur Deo adulteriis esse peiores, neq; statim legitimum est quicquid tolerat ecclesia.

Cyprianus quoq; ipse quem citatis, in illa ipsa Epistola de virginibus quae continentiam voverunt, ubi inquit, si perseverare nolunt, vel non possint, melius est ut nubant, quam ut in ignem delitiis suis ruant; ex quo infertis tale votum non impedire matrimonium, longe aliud sentit: nam consultus à Pomponio sacerdote, quid sibi videretur de virginibus his, quae cum semel statum suum continenter et firmiter tenere decreverint, detectae sunt postea in eodem lecto pariter mansisse cum masculis; ea de re altius ^crepetens sermonem, periculosamq; esse virginum et masculorum cohabitationem, confirmandum per scripturas ac graves multorum ruinas ex hoc enatas, asserens generaliter de omnibus virginibus inquit, quod si ex fide Christo se dicaverint caste et pudice sine ulla fabula perseverent, ita fortes et stabiles praeium virginitatis expectent; si autem perseverare nolunt, vel non possunt, melius est ut nubant, quam ut in

^c repentes

ignem delitiis suis cadant, certe nullum fratribus aut sororibus scandalum faciant, cum scriptum sit, &c. Et paulo post infert, Christus Dominus et Judex noster, cum virginem suam sibi dicatam et sanctitati suæ destinatam jacere cum altero cernat, quam indignatur et irascitur, et quas pœnas incestis hujusmodi conjunctionibus comminatur! deinde ad quæsitum respondens, jubet obstetrices adhiberi ut videatur an virgines illæ sint corruptæ, ubi inquit, si autem aliquæ ex eis corruptæ fuerunt deprehensæ, agant poenitentiam plenam, quia quæ hoc crimen admisit, non mariti sed Christi adultera est, et ideo æstimato justo tempore et ex homologesi facta ad ecclesiam redeant; quod si obstinatæ perseverent, nec se ab invicem ^dseparant, sciant se cum hac sua impudica obstinatione nunquam à nobis admitti in ecclesiam posse, ne ^eexemplis cæteris ad ruinam delictis suis facere incipiant. Ecce quid sentit Cyprianus de votis ruptis, incestuosos et Christi adulteros hujusmodi flagitiosos appellat, et nisi separentur, nunquam admittit in ecclesiam; quomodo erga talia vota non impediant matrimonium, aut quis ad tale matrimonium quenquam hortari audebit, quod sine violatione voti et transgressione divini mandati, ideoq; sine gravissimo scelere contrahi non possit? Atqui quod principes Germaniæ, scribitis, cum viderent multa flagitia de cœlibatu sacerdotum provenire, matrimonia sacerdotibus libera permisisse, si meum, egregii oratores, consilium requisissent vestri principes, priusquam tot sacerdotes apud vos ruptis vinculis ad nuptias convolassent, ad id consilii dedissem quod vestri principes arripuerunt hæsito magnopere; nam si sacerdotes qui continere nollent, erumpere ad nuptias omnino voluissent, quanto satius forte fuisset, exemplo veterum deposuisse tales à sacerdotio, suæq; de cætero conscientiae quenquam reliquisse, ac deinde puriores altaribus admovisse, quam libere omnia permittendo peccatis alienis auctores videri, atq; ea ratione aliena peccata nostra facere: veruntamen nos qui in aliena repub. curiosi nunquam fuimus nec esse volumus, omnia principum vestrorum acta atq; gesta in optimam partem interpretamur, non

^d separent, ^e exemplum

dubitantes, quin ad tollendos abusus omnes sincerus his animus, atq; ad repurgandam Dei ecclesiam appositus non desit.

Porro nos qui in regno nostro Romani episcopi tyrannidem profligare magna industria studuimus, et Christi gloriam sinceriter promovere curabimus Deo propitio, quantum humano consilio fieri potest, ne quis abusus sive à Romano episcopo sive à quovis alio inductus non aboleatur, et si quos comperiemus tempori inservientes, fingentesq; se odisse Romanum episcopum, atq; in sermone simulare veritatem, quam corde non amplectuntur, ejusmodi viris consilia nostra de rebus sacris non communicabimus, nec eorum vel de sacris vel de prophanis expectabimus sententiam.

Quæ vero Christi puram atq; sinceram doctrinam promovere, quæ Christi evangelium dilatare, quæ ad repurganda ecclesiæ Anglicanæ vitia tendere, quæ ad extirpandos abusus atq; errores omnes spectare, quæ deniq; ecclesiæ candorem exornare posse videbuntur, ea totis viribus sectabimur, his studebimus his Deo volente in perpetuum incumbemus.

De articulis vero quos jam disseruimus maturius cum theologis nostris quamprimum vacabit agemus, atq; ea demum statuemus quæ ad Christi gloriam ecclesiæque sponsæ ejus decorem conducere existimabimus.

Vobis autem, præstantissimi oratores qui tot labores terra marique perpessi estis, ut nos inviseretis, qui cum theologis nostris tamdiu contulistis, qui ob evangelii negotium à patria abfuistis multis mensibus, immensas atq; innumeras habemus gratias; nec miramur si dulcis amor patriæ, post diuturnam absentiam vestram, ad reditum vos invitat. Itaque post expleta principum vestrorum mandata, post absoluta in totum negotia vestra, si non gravabimini nos invisere, vester ad nos accessus admodum gratus erit, vosque in patriam non modo libenter dimittemus cum bona venia, sed ad principes etiam vestros, literas dabimus summæ diligentiae vestræ in exequenda legatione testimonium perhibentes. Valete.

IX.

A letter written by the king to his bishops, directing them how to instruct the people. An original.

By the king.

Henry R.

RIGHT reverend father in God, right trusty and well-beloved, we greet you well: And whereas for the vertue, learning and good qualities which we saw and perceived heretofore in you, judging you thereby a personage that would sincerely, devoutly, purely, and plainly set forth the word of God, and instruct our people in the truth of the same, after a simple and plain sort, for their better instruction, unity, quiet, and agreement in the points thereof, we advanced you to the room and office of a bishop within this our realm; and so endowed you with great revenues and possessions; perceiving after, by the contrariety of preaching within this our realm, our said people were brought into a diversity of opinion, whereby there ensued contention amongst them; which was only engendered by a certain contemptuous manner of speaking, against honest, laudable, and tolerable ceremonies, usages, and customs of the church; we ^awere enforced, by our sundry letters, to admonish and command you, amongst others, to preach God's word sincerely, to declare abuses plainly, and in no wise contentiously to treat of matters indifferent, which be neither necessary to our salvation, as the good and vertuous ceremonies of holy church, ne yet to be in any wise contemned and abrogated, for that they be incitements and motions to virtue, and allurements to devotion: all which our travail notwithstanding, so little regard was by some taken and adhibited to our advertisements therein, that we were constrained to put our own pen to the book, and to conceive certain articles, which were by all you the bishops and whole clergy of this our realm in convocation agreed on, as catholick, meet, and necessary to be by our authority for avoiding of all contention set forth, read and taught to our

Cotton lib.
Cleop. E. 5.
fol. 290.

^a are

subjects, to bring the same in unity, quietness, and good concord: supposing then that no person having authority under us, would either have presumed to have spoken any word, that might have offended the sentence and meaning of the same, or have been any thing remiss, slack, or negligent in the plain setting forth of them as they be conceived, so as by that mean of abstinence such quiet and unity should not grow thereupon as we desired and looked for of the same; and perceiving eft-soons, by credible report, that our labours, travail, and desire therein, is nevertheless defeated, and in manner by general and contemptuous words spoken by sundry light and seditious persons, contemned and despised, so that by the abstinence of direct and plain setting forth of the said articles, and by the fond and contentious manner of speaking, that the said light personages do still use against the honest rites, customs, usages, and ceremonial things of the church, our people be much more offended than they were before; and ^bin manner exclaim that we will suffer that injury at any man's hand, whereby they think both God, us, and our whole realm highly offended, insomuch ^cas principally upon that ground; and for the reformation of those follies and abuses, they have made this commotion and insurrection, and have thereby grievously offended us, damaged themselves, and troubled many of our good subjects: we be now enforced, for our discharge towards God, and for the tender love and zeal we bear to the tranquillity and loving unity of our said people and subjects, again to readdress these our letters to all the bishops of our realm, and amongst other unto you, as a peremptory warning to admonish you, to demean and use your self for the redobbing of these things as shall be hereafter declared, upon pain of deprivation from ^dyour bishoprick, and further to be punished for your contempt, if you shall offend in the contrary, as justice shall require for your own trespass.

. And first, we straitly charge and command you, that

^b in a manner

^c that

^d the

plainly and distinctly, without any additions, ye shall every holy-day, wheresoever ye shall be within your diocess, when ye may so do with your health and convenient commodity, openly, in your cathedral church, or the parish church of the place where ye shall ^cfortune to be, read and declare our ^fsaid articles ; and in no wise, in the rest of your words which ye shall then speak of your self, if you speak any thing, utter any word that shall make the same, or any word in the same, doubtful to the people.

Secondly, We will and command you, That you shall in your person travel from place to place in all your diocess, as you may with your commodity, and endeavour your self every holy-day to make a collation to the people, and in the same to set forth plainly the texts of scripture that you shall treat of ; and with that also as well to declare the obedience due by God's laws to their prince and sovereign lord, against whose commandment they ought in no wise, though the same were unjust, to use any violence, as to commend and praise ^h the honest ceremonies of the church as they be to be praised, in such plain and reverent sort, that the people may perceive they be not contemned, and yet learn how they were instituted, and how they ought to be observed and esteemed ; using such a temperance therein, as our said people be not corrupted, by putting over-much affiance in them, which a part should more offend, than the clear silencing of the same, and that our people may ⁱthere-with the better know their duties to us, being their king and sovereign lord.

Thirdly, We straitly charge and command you, That neither in your private communications you shall use any words that may sound to the contrary of this our commandment, ne you shall keep or retain any man of any degree, that shall in his words privately, ^kapertly, directly or indirectly, speak in ^lthose matters of the ceremonies, contentiously or contemptuously ; but we will that in case ye have, or shall have towards you any such person that will not bet-

^c for time ^f said om. ^g selves ^h the om. ⁱ thereto
^k or openly, ^l these

ter temper his tongue, you shall, as an offender and a seductor of our people, send the same in sure custody to us and our council, to be punished as shall appertain; and semblably to do with other strangers whom ye shall hear to be notable offenders in that part.

Fourthly, Our pleasure and commandment is, That you shall on ^mour behalf, give strait commandment upon like pain of deprivation and further punishment, to all parsons, vicars, curates, and governors of religious houses, colledges, and other places ecclesiastical within your diocess, that they and every of them shall, touching the indifferent praise of ceremonies, the avoiding of contentious and contemptuous communication, concerning any of the same, and the distinct and plain reading of our said articles, observe and perform, in their churches, monasteries, and other houses ecclesiastical aforesaid, the very same order that is before to you prescribed. And further, that you permit nor suffer any man, of what degree soever ^ahe be in learning, ^ostranger or other, to preach in any place within your said diocess out of his own church, by virtue of any license by us, or any other of our ministers, granted before the fifteenth day of this month, neither in your presence nor elsewhere, unless he be a man of such honesty, vertue, learning, and judgment, as you shall think able for that purpose, and one whom in manner you dare answer for.

Finally; Whereas we be advertised that divers priests have presumed to marry themselves, contrary to the custom of our church of England, our pleasure is, Ye shall make secret enquiry within your diocess whether there be any such resiant within the same or not: and in case ye shall find that there be any priests that have so presumed to marry themselves, and have sithence nevertheless used and exercised in any thing the office of priesthood, we charge you, as ye will answer upon the pains aforesaid, not to conceal their doings therein, but rather to signify their demeanour to our council, or to cause them to be apprehended, and so sent up unto us accordingly. Given under our signet

^a your

^a he be *om.*

^o strangers

at our castle of Windsor, the 19th day of November, in the 28th year of our reign.

X.

Tonstall's arguments for the divine institution of auricular confession; with some notes written on the margin by king Henry's own hand. An original.

Quod confessio auricularis sit de jure divino.

PROBARI videtur ex illo loco Matthæi 3. ubi Joanne Baptista in deserto prædicante poenitentiam, exibat ad eum Hierosolyma et omnis Judæa, et baptizabantur ab eo in Jordane confitentes peccata sua; quem locum Chrysostomus ita exponit, inquit, Confessio peccatorum est testimonium conscientie ^atimetis Deum, qui enim timet judicium Dei peccata sua non erubescat confiteri; qui autem erubescit non timet, perfectus enim timor solvit omnem pudorem; illic enim turpitudine confessionis aspicitur, ubi futuri judicii poena non creditur. Nunquid nescimus quia confessio peccatorum habet pudorem, et quia hoc ipsum erubescere poena est gravis, sed ideo magis non jubet Deus confiteri peccata nostra, ut verecundiam patiamur pro poena? nam et hoc ipsum pars est judicii, O misericordia Dei! quem toties ad iracundiam excitavimus, sufficit ei ^{*}solus pudor pro poena.

Cotton lib.
Cleop. E. 5.
fol. 125.

Si verecundia pro poena est apud Deum, ea autem non continget ex confessione facta soli Deo, nam nemo rationis compos ignorat etiam absque confessione Deum peccata nostra scire, de confessione facta homini necesse est intelligatur. Præterea ipsa verba demonstrant quod Joanni Baptistæ confessi sunt peccata sua, nam dixit eis, facite ergo fructum dignum poenitentia, quod apte dicere non poterat, nisi poenitentes eos ex confessione sibi facta rescivisset.

*Nota bene
de solo pu-
dore.

Fallax.

Beda Marci. I.

Et baptizabantur ab illo in Jordane flumine, confitentes peccata sua. † Exemplum ^bconfitendi peccata ac meliorem vitam promittendi datur eis, qui baptismum accipere deside-

† Exem-
plum dicit
non præ-
ceptum.

^a confitens

^b confitendum

* Non
præcepto.

rant, sicut etiam prædicante * Paulo in Epheso multi credentium veniebant, confitentes et annunciantes actus suos, quatenus abdicata vita veteri, renovari mererentur in Christo.

Huic sic
responden-
dum est.
Absolutio
datur in re-
medium
peccatorum
petentibus
tantum,
nam si non
petiero.
† Exem-
plum bene
declarat
rem, sed
non perite
positum.

Scribitur quoq; in evangelio Joannis 21. Quorum remiseritis peccata, remittuntur eis et quorum retinueritis, retenta sunt: et Matth. 18. Quæcunq; ligaveritis super terram, erunt ligata in cælo, et quæcunq; solveritis super terram, erunt soluta in cælo. Remittere autem ^caut solvere nemo potest id quod ignorat, occulta autem peccata præter peccantem novit nisi solus Deus, quare nisi peccata aperiantur sacerdoti, nec ea ligare nec solvere posset. Et † quemadmodum sacratissima tua majestas, si commissionem aliquibus dedisset audiendi et terminandi negotium aliquod, non posset judices rem ignorantes nisi negotio coram eis patefacto causam finire, viz. propter culpam litigatorum non comparentium coram eis; sic nec sacerdotes ligare et solvere possunt peccata quæ ignorant. Itaq; cum Deus sacerdotem velut medicum spirituales ecclesiæ dederit, si quis enim sua vulnera celat, ipse sua culpa perit, cum tamen de salute sua deberet esse sollicitus, sicut Paulus ad Phil. 2. admonet, iniquiens, cum metu et tremore salutem vestram operamini.

Origenes in Levit. Homilia 2. loquens de remissionibus peccatorum.

De sua opi-
nione lo-
quens.

Est adhuc et septima, licet dura et laboriosa, per poenitentiam remissio peccatorum, cum lavat peccator lachrimis stratum suum, et fiunt ei lachrimæ suæ panis die ^dac nocte, et cum non erubescit sacerdoti Domini indicare peccatum

‡ Male sen-
tit qui abu-
tatur scrip-
tura.

suum, et quærere medicinam secundum eum qui ait, ‡ Dixi pronunciabo adversum me injustitiam meam Domino, et tu remisisti impietatem cordis mei, in quo impletur et illud quod Jacobus apostolus dicit, Siquis autem infirmatur, vocet presbyteros ecclesiæ, et imponant ei manus § ungentes eum oleo in nomine Domini, et oratio fidei salvabit infirmum, et si in peccatis fuerit remittentur ei.

§ Nunquam
is modus
unctionis in
confessione
utebatur.

Origenes Homilia 2. in Psal. 37.

Intellige mihi fidelem quidem hominem sed tamen infirmum, qui etiam vinci ab aliquo peccato potuit, et propter

* et

^d et

hoc mugientem pro delictis suis et omni modo curam vul-
neris sui sanitatemq; requirentem, licet præventus sit et lap-
sus, volentem tamen medelam ac salutem reparare; si ergo
hujusmodi homo memor delicti sui, confiteatur quæ commi-
sit, et humana confusione parvi pendat eos, qui exprobrant
eum confitentem, et notant vel irrident, ille autem intelligens
per hoc veniam sibi dari, et in die resurrectionis pro his qui-
bus nunc confunditur coram hominibus, tunc ante angelos
Dei confusionem atq; opprobria evasurum, ut nolit tegere
et occultare maculam suam, sed pronunciet delictum suum,
nec velit esse sepulchrum dealbatum, quod deforis quidem
appareat hominibus speciosum, id est ut videntibus se quasi
justus appareat, intus autem sit repletus omni immunditie et
ossibus mortuorum.

Non ait,
necesse est
ut confi-
teantur,
jam de con-
temptu lo-
quitur.

Et paulo post, Quoniam iniquitatem meam pronuncio.
Pronunciationem iniquitatis, id est, confessionem peccati,
frequentius diximus, vide ergo quid edocet nos scriptura di-
vina, quia oportet peccatum non celare intrinsecus; fortassis
enim sicut ii qui habent intus inclusam escam indigestam,
aut humoris, vel phlegmatis stomacho graviter et moleste
imminentia si vomuerint relevantur, ita etiam hi qui pecca-
runt, si quidem occultant et retinent intra se peccatum in-
trinsecus urgentur, et propemodum suffocantur à phlegmate
vel humore peccati: si autem ipse sui accusator fiat, dum
accusat semetipsum, et confitetur, simul evomit et delec-
tum, atq; omnem morbi digerit causam. Tantummodo cir-
cumspice diligentius cui debeas confiteri peccatum tuum,
proba prius medicum cui debeas causam languoris exponere,
qui sciat infirmari cum infirmante, flere cum flente, qui con-
dolendi et compatiendi noverit disciplinam, ut ita demum
siquid ille dixerit, qui se prius et eruditum medicum osten-
derit et misericordem, siquid consilii dederit, facias et sequa-
ris, si intellexerit et præviderit talem esse languorem tuum,
qui in conventu totius ecclesiæ exponi debeat et curari, ex
quo fortassis et cæteri ædificari poterunt, et tu ipse facile
sanari, multa hac deliberatione et satis perito medici illius
consilio procurandum est.

^f imminentem si vomuerunt

^s et confitetur, om.

Cyprianus in Sermone de Lapsis.

Fateor Cyprianus confessionem auri- cularem nobis non plus præcipi quam virginitatem.

Denique quando et fide majore et timore meliores sunt, qui quamvis nullo sacrificii aut libelli facinore constricti, quoniam tamen de hoc vel cogitaverunt, hoc ipsum apud sacerdotes Dei dolenter et simpliciter confitentur, exomologesin conscientiae faciunt, animi sui pondus exponunt, salutarem medelam parvis licet et modicis vulneribus exquirunt, scientes scriptum esse, Deus non deridetur; derideri et circumveniri Deus non potest, nec astutia aliqua fallente deludi: plus imo delinquit qui secundum hominem Deum cogitans evadere se poenam criminis credit, si non palam crimen admisit. Christus in præceptis suis dicit, qui confusus me fuerit, confundet eum filius hominis, et Christianum se putat qui Christianus esse aut confunditur aut veretur: quomodo potest esse cum Christo qui ad Christum pertinere aut erubescit aut metuit? minus plane peccaverit non videndo idola, nec sub oculis circumstantis atq; insultantis populi sanctitatem fidei profanando, non polluyendo manus suas funestis sacrificiis, nec sceleratis cibus ora maculando; hoc eo proficit ut sit minor culpa, non ut innocens conscientia; facilius potest ad veniam criminis pervenire, non est tamen immunis a crimine, nec cesset in agenda poenitentia, atq; in Domini misericordia deprecanda, ne quod minus esse in qualitate delicti videtur, in neglecta satisfactione cumuletur. Confiteantur singuli, quaeso vos fratres, delictum suum, dum adhuc qui deliquit in saeculo est, dum ^hadmitti confessio ejus potest, dum satisfactio et remissio facta per sacerdotes apud Dominum grata est; convertamur ad Dominum mente tota, et poenitentiam criminis veris doloribus exprimentes Dei misericordiam deprecemur; illi se anima prosternat, illi moestitia satisfaciatur, illi spes omnis incumbat; rogare qualiter debeamus dicit ipse, Revertimini, inquit, ad me ex toto corde vestro, simulq; et jejuniis, et fletu, et planctu, et scindite corda vestra et non vestimenta.

Si præceptum haberet non persuaderet.

Hi omnes suadent, sed non præcipiunt.

Præterea Esaias peccatorem admonet cap. ⁱ43. secundum 70. inquit, Dic tu prior iniquitates tuas ut justifice-

^h amitti

ⁱ 42.

ris; et Solomon Prov. 18. ait, Justus prior est accusator sui, atque ideo ne Satan nos in judicio coram omnibus accuset, nos illum in hac vita, per priorem confessionem delicti nostri factam aliis prævenire debemus, nam Deum prævenire in nostri accusatione nequimus qui omnia facta nostra jam novit, imo vero antequam fierent ea præscivit; quare confessio illa necesse est, intelligatur, de ^kextraria confessione facta Dei ministro qui id ignoravit, nam Deum nihil unquam latuit, non modo jam factum, sed ne futurum quidem quicquam.

Circa personas vero ministrorum quibus fieri deberet confessio, atq; circa tempora ecclesiæ nonnunquam aliquid immutarunt, et varie pro regionibus statuerunt.

Cum nec
cui nec
tempora
designantur
non firmum
præceptum
datur.

Et ne tuam solitudinem, sacratissima majestas, circa publicam regni tui tranquillitatem stabiliendam sanctissime occupatam, longa multorum lectione, quæ præter ista afferre possem, remorari videar, plura adjungere supersedebo, illud tantummodo precatus, ut meam hanc scribendi temeritatem boni consulat, quam ego totam perspicacissimo atq; eruditissimo majestatis tuæ judicio considerandam pensitandamq; committo. Atq; ita foelicissime valeat sacratissima tua majestas cujus regnum et prosperrimum et in sæculum diuturnum vobis fore precamur.

XI.

A letter of king Henry's to Tonstall, bishop of Duresme, against auricular confession being of divine institution. An original, ¹in the king's hand.

SINCE methought (my lord of Durham) that both the bishops of York, Winchester, and your reasons and texts were so fully answered this other day, in the house, as to my seeming and supposal, the most of the house was satisfied; I marvelled not a little why eft-soons you have sent to me this now your writing, being in a manner few other texts or reasons than there were declared both by the bishop

Cotton lib.
Cleop. E. 5.
fol. 123.

^k extranea

¹ in the king's hand om.

of Canterbury and me, to make smally or nothing to your intended purpose: But either I esteem that you do it to prove mine simple judgment alone, which indeed doth not much use, (tho' not the wisest) to call in aid, the judgments of other learned men, and so by my ignorant answer, seem to win the field; or else that you be too much blinded in your own fancy and judgment, to think that a truth, which by learning you have not yet proved, nor I fear me cannot by scriptures, nor any other directors probable grounds, though I know mine unsufficiency in learning, if the matter were indifferent, and that the ballance stood equal, since I take the verity of the cause rather to favorize the part I take than yours, it giveth me therefore great boldness not presuming in learning, but in justness of the cause, seeing by writing you have provoked me to it, to make answer to your arguments: therefore I begining now to reply to your first allegation, shall essay to prove, if I can, that your own author in place by you alledged, maketh plain against your opinion; for as you alledg him, St. Chrysostom saith, *Quod sufficit solus pudor pro pœna*, then ^m auricularis confessio is not by commandment necessary; for if it were, this word (*solus*) is by your author ill set; therefore your author in this place fundereth you but little. To your *fallax* argument, I deny your consequent, founded only upon small reason, which is the ground of your *fallax* argument: which reason I need not take away, for your alledged author doth shew too plainly, in his 5. Homily, tom. 5. that you gather wrong sense upon his words, for he saith, with much more touching this matter, these few words, *Non hominibus peccata* ⁿ *tua detegere cogo*; then this other text before rehearsed, is not to be understood as you ^o wold wrynge it. Further, me thinketh I need not (God thank you) too greatly study for authors to conclude your wrong taking of texts, for those your self alledg serveth me well to purpose: for all your labour is to prove that auricular confession were by God commanded, and both your authorities of Bede and P Pole, sheweth nothing

^m auricular confession

ⁿ *tua* om.

^o will by writing

^p Paul,

but that they did confess their sins, and yet do not they affirm that it was by commandment; wherefore they make for mine argument and not for yours. Your other texts of John 21. and Matthew 10. were so thoroughly answered this other day, and so manifestly declared not to appertain to our grounded argument, that I marvel you be not ashamed eft-soons to put them in writing, and to found your argument now so fondly on them; for what fonder argument can be made to prove thereby a necessity of confession, than to say, If you confess not, I cannot forgive? Would a thief which committeth felony, think himself obliged by the law to disclose his felony, if the law say no more, but if thou confess not I cannot forgive thee? or ¹ would he trust the sooner therefore be forgiven? This is matter so apparent, that none can but perceive except he would not see. As touching Origens places by you alledged; as the first, in Leviticum, sheweth that we be as much bound *lavare stratum lacrimis*, as *dicere sacerdoti*, which no man, I think, will affirm that we be bound to do; and yet he affirmeth not that any of them is commanded: the text also whereby ² he would approve his so saying, doth not yet speak *quod pronuntiabo in justitiam meam sacerdoti*, but *Domino*: the other of James seemeth better to make for extream unction, than for confession; for when was ever the use, that folk comming only to confession, were wont to be anointed with oil, therefore ³ these make nothing to your argument. As touching Origen in Psal. 37. he saith not *quod obligamur dicere sacerdoti*, but *si confiteantur*; and seemeth rather to perswade men that they should not *parvi pendere confessionem*, (as all good folk would) than that they were obliged to confess them to a priest. Though Cyprian *de Lapsis*, doth praise them which do confess their faults to priests, yet doth he confess that we be not bound to do so; for he saith in the highest of his praise these words, *How much be they then higher in faith, and better in fear of God, which though they be not bound by any deed of sacrifice, or book, yet be they*

¹ would theft the sooner² ye³ in om.⁴ this makes

content sorrowfully to ^uconfess them to the priest. Since he knowledgeth no bond in us by neither fact of sacrifice or libel, why alledg you (tho he praise auricular confession) that we should be bound by ^xGod's law thereto? This is no proof thereof, neither by reason nor by scripture, nor any good authority. And whereas he saith further, *Confiteantur singuli, quæso vos fratres, delictum suum*; this doth not argue a precept; nor yet the saying of Esay, cap. 48. *secundum Septuaginta*; nor Solomon in the Proverbs 10. for these speak rather of knowledging our offence to God in our heart, than of auricular confession; after David the prophet's saying and teaching, when he said, *Tibi soli peccavi*, that was not to a priest. By the text also which you alledg, begining, *circa personas vero ministrorum*, &c. you do openly confess that the church hath not accepted auricular confession to be by God's commandment; or else by your saying and allegation, they have long erred; for you confess that the church hath divers times changed, both to whom confession should be made, and times when; and that also they have changed divers ways for divers regions; if it were by God's commandment they might not do thus: wherefore, my lord, since I hear no other allegations, I pray you blame not me tho I be not of your opinion; and of the both, I think that I have more cause to think you obstinate, than you me, seeing your authors and allegations make so little to your purpose. And thus far you well.

XII.

A definition of the church, corrected in the margin by king Henry's own hand. An original.

De ecclesia.

Cotton lib.
Cleop. E. 5.
fol. 1.

ECCLESIA præter alias acceptiones in scripturis duas habet præcipuas: unam, qua ecclesia accipitur pro congregatione sanctorum et vere fidelium qui Christo capiti vere cre-

^u confess to the priest sins /

^x God and law

dunt, et sanctificantur Spiritu ejus hæc autem una est, et vere sanctum corpus Christi sed soli Deo *cognitum, qui ^{* Sponsa Christi} hominum corda solus intuetur. Altera acceptio est, qua cognita, ecclesia accipitur pro congregatione omnium hominum qui baptizati sunt in Christo, et non palam abnegarint Christum, nec sunt † excommunicati ‡ : quæ ecclesiæ acceptio congruit † Juste. ejus statui in hac vita duntaxat, ubi habet malos bonis si- ‡ Aut ob- stinatis. mul admixtos §, et debet esse cognita per verbum et legiti- § Et cogni- tum usum sacramentorum ut possit audiri; sicut docet tio hujus ecclesiæ Christus, qui ecclesiam non 2audierit. Porro ad veram pervenit unitatem ecclesiæ, requiritur ut sit consensus in recta doc- per usum trina fidei et administratione sacramentorum. verbi et sacramen- torum, ac-

Traditiones vero et ritus atq; cæremoniæ quæ vel ad a de- ceptione, corem, vel ordinem, vel disciplinam ecclesiæ ab hominibus perfecta, sunt institutæ, non omnino necesse est, ut eadem sint ubiq; unitate, ac aut prorsus similes: hæ enim et variæ fuere et variari pos- unanimi sunt || pro regionum atq; morum diversitate et commodo *, || Modo consensu acceptata. sic tamen ut sint consentientes verbo Dei: et quamvis in rectoribus ecclesia secundum posteriorem acceptionem mali sint bonis quibus admixti, atq; etiam ministeriis verbi et sacramentorum non- semper ob- nunquam præsent, tamen cum ministrent non suo sed temperan- dum est, Christi nomine, mandato et autoritate, licet eorum minis- sic tamen terio uti tam in verbo audiendo quam recipiendis sacramen- ut eorum tis, juxta illud, qui vos audit me audit; nec per eorum ma- jussio atq; litiam imminuitur effectus aut gratia donorum Christi rite lex verbo Dei non adversetur. accipientibus, sunt enim efficacia propter promissionem et * Ista est ordinationem Christi etiamsi per malos exhibeantur. ecclesia

apostolica, cum qua nec pontifex Romanus, nec quivis aliquis prælatus aut pontifex, habet quicquid agere præterquam in suas dioceses.

* audiret

* decorum,

A
T A B L E
 OF THE
RECORDS AND PAPERS
 THAT ARE IN THE
COLLECTION,

With which the places in the History to which they relate are marked: the first number, with the letter C, is the page of the Collection; the second, with the letter H, is the page of the History.

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